

THE
LAW S OF JAMAICA,

Passed in the THIRTY-SEVENTH Year of the Reign of

K I N G G E O R G E T H E T H I R D.

Published under the Direction of Commissioners appointed for that Purpose by
30 Geo. III. cap. xx, and 32 Geo. III. cap. xxix.

ST. JAGO DE LA VEGA, JAMAICA:
P R I N T E D B Y A L E X A N D E R A I K M A N,
P R I N T E R T O T H E K I N G ' S M O S T E X C E L L E N T M A Y E S T Y.

M. D C C . X C V I I .

ADAMALHO SWALI

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T A B L E

OF THE

Public and Private Acts;

CONTAINING

The TITLES of those passed in the thirty-seventh Year of the Reign of GEORGE III.

P U B L I C A C T S.

Anno 37 Georgii III.—1797.

1. **A** N ACT for raising several sums of money, and applying the same to several uses.
2. An act for laying a duty on tonnage, and applying the same to the use of the forts and fortifications ; and for regulating the duty of gunpowder payable on tonnage, by virtue of an act entitled, " An act for granting a revenue to his majesty, his heirs and successors, for the support of the government of this island ; and for reviving and perpetuating the acts and laws thereof ;" and to enable the receiver-general to import and purchase gunpowder, under certain regulations.
3. An act for laying a duty on all wines, and upon brandy, gin, rum, and other distilled spirits, retailed within this island ; and for laying a further tax on licensees to be granted for the retailing of

brandy, gin, rum, and other distilled spirits, and on the public offices ; and for applying the same to several uses.

4. An act to oblige the several inhabitants of this island to provide themselves with a sufficient number of white men, white women, or white children, or pay certain sums of money in case they shall be deficient ; and applying the same to several uses ; to protect freeholders on the days of choosing churchwardens and vestrymen ; and to ascertain who shall be deemed duly qualified to vote at such elections.
5. An act for establishing and declaring rules and articles of war.
6. An act to enable the right honourable Alexander earl of Balcarres, lieutenant-governor, and commander in chief of this island, or the governor or commander in chief for the time being, to issue his majesty's royal proclamation, during the recess of the assembly, prohibiting

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hibiting the exportation of flour and other provisions from this island, for a limited time.

7. An act to appoint commissioners to inspect the books of the receiver-general, and to settle and adjust the public accounts.
8. An act for appointing commissioners for forts and fortifications.
9. An act to amend an act entitled, "An act to repeal an act, passed in the year one thousand seven hundred and fifty-nine, entitled, 'An act to augment the salary of his excellency George Haldane, esquire, and for providing certain lands and premises to be annexed to the government, for the use of the governor for the time being; also one other act, passed in the year one thousand seven hundred and ninety-five, entitled, 'An act to explain, amend, and render more effectual, 'An act to augment the salary of his excellency George Haldane, esquire; and for providing certain lands and premises to be annexed to the government, for the use of the governor for the time being; to enable certain commissioners to sell the government pen and mountain, with the buildings, slaves, and cattle, thereunto belonging, and to apply the monies arising from such sale, towards defraying the expences of the government of this island; and for granting a further additional salary to the right honourable Alexander earl of Balcarres, lieutenant-governor and commander in chief, during his administration, in lieu of the said pen and mountain.'"
10. An act for regulating the fees of the masters of the high court of chancery of this island.
11. An act for ascertaining, assessing, and collecting, a tax on transient traders, in the town of Savanna-la-Mar.
12. An act for raising a tax by the poll,

and on trades, supercargoes, and masters of vessels, and on offices and houses, and on certain wheel-carriages; and applying the same to several uses.

13. An act to repeal an act entitled, "An act for raising a tax by a duty on vellum, parchment, and paper, ascertained by stamps; and applying the same to the public service;" and for regulating the manner of raising a tax by a duty on vellum, parchment, and paper, ascertained by stamps; and applying the same to the public service; and for appointing commissioners for that purpose.
14. An act for raising a tax on land within this island, and applying the same to the public service.
15. An act for appointing commissioners to contract, in Great-Britain, for a loan or loans, on behalf and on account of the credit of this island.
16. An act to alter and amend an act entitled, "An act to enable certain commissioners therein named, to raise several sums of money for the public service; and for other purposes."
17. An act for the more speedy collection of the public taxes, and the arrears thereof now due.
18. An act to appoint certain commissioners, for the better carrying into execution the several appropriations made, or to be made, for the use of the buildings belonging to the public, and of the barracks throughout this island.
19. An act to repeal an act, passed in the year one thousand seven hundred and forty-four, entitled, "An act to regulate the selling of gunpowder, and to prevent the telling of fire-arms to slaves;" and to prevent the improper use of gunpowder and fire-arms.
20. An act for continuing two several acts, the one entitled, "An act to regulate the militia; to repeal certain acts and clauses of acts relating to the said militia;

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21. An act to ascertain who shall compose future councils of war; and for other purposes; the other entitled, "An act for amending an act entitled, 'An act to regulate the militia; to repeal certain acts and clauses of acts relating to the said militia; to ascertain who shall compose future councils of war; and for other purposes;'" for a certain time longer.

22. An act for amending an act entitled, "An act to repeal an act, passed in the year one thousand seven hundred and fifty-nine, entitled, 'An act to augment the salary of his excellency George Haldane, esquire; and for providing certain lands and premises to be annexed to the government, for the use of the governor for the time being; also one other act, passed in the year one thousand seven hundred and ninety-five, entitled, 'An act to explain, amend, and render more effectual, "An act to augment the salary of his excellency George Haldane, esquire; and for providing certain lands and premises to be annexed to the government, for the use of the governor for the time being;" to enable certain commissioners to sell the government pen and mountain, with the buildings, slaves, and cattle, thereunto belonging, and to apply the monies arising from such sale, towards defraying the expences of the government of this island; and for granting a further additional salary to the right honourable Alexander earl of Balcarres, lieutenant-governor and commander in chief, during his administration, in lieu of the said pen and mountain."

23. An act for amending an act entitled, "An act for amending and keeping in repair the road leading from Pepper Pen, over Mayday-hill, in the parish of

St. Elizabeth, to Dry-River, in the parish of Clarendon; and for vesting in trustees the toll raised by a turnpike on the said road, for the purposes aforesaid; and for repealing an act entitled, 'An act for amending and keeping in repair the road leading from St. Jago de la Vega, in the parish of St. Catherine, to the junction of the Mayday-hill road, at the fig-tree in Olyphant's lane, in the parish of Clarendon; and for vesting in trustees the toll raised by a turnpike on the said road, for the purposes aforesaid,' passed in the year of our Lord one thousand seven hundred and eighty-eight."

24. An act for further continuing an act, passed in the year one thousand seven hundred and ninety-two, entitled, "An act for the ease and relief of jurors and suitors of the supreme and certain other courts within this island."

25. An act for making free and rewarding a negro man slave, named Garrick, belonging to Iron-Shore estate, in the parish of St. James.

An act to enable Jonathan James, John James, William Rhodes James, and Ann James, sons and daughter of John James junior, of the parish of St. Elizabeth, a free quadroon man, by his wife Anna Bonella James, a white woman, to stand for and save deficiency respectively, for the benefit of the said John James junior, or for any other person whatever, with whom they may reside.

P R I V A T E A C T.

Anno 37 Georgii III.

An act to enable Jonathan James, John James, William Rhodes James, and Ann James, sons and daughter of John James junior, of the parish of St. Elizabeth, a free quadroon man, by his wife Anna Bonella James, a white woman, to stand for and save deficiency respectively, for the benefit of the said John James junior, or for any other person whatever, with whom they may reside.

T H E

АСТРАНТИОЗИБАТ

Abbildung 2a bis: Zeichnungen von Schemen
mit unterschiedlichen Ausprägungen von
verbundenen Elementen, die in der
Zeichnung 2b dargestellt sind.

L A W S O F J A M A I C A.

Anno regni Georgii tertii tricesimo septimo.

C A P. I.

An act for raising several sums of money, and applying the same to several uses.—ANNUAL.
In force until 31st December, 1797.—[13th December, 1796.]

C A P. II.

An act for laying a duty on tonnage, and applying the same to the use of the forts and ANNUAL fortifications; and for regulating the duty of gunpowder payable on tonnage, by virtue of an act entitled, “An act for granting a revenue to his majesty, his heirs and successors, for the support of the government of this island; and for reviving and perpetuating the acts and laws thereof;” and to enable the receiver-general to import and purchase gunpowder, under certain regulations.—In force until 31st December, 1797.—[13th December, 1796.]

C A P. III.

An act for laying a duty on all wines, and upon brandy, gin, rum, and other di- ANNUAL stilled spirits, retailed within this island; and for laying a further tax on licenses to be granted for the retailing of brandy, gin, rum, and other distilled spirits, and on the public offices; and for applying the same to several uses.—In force until 31st December, 1797.—[13th December, 1796.]

C A P. IV.

An act to oblige the several inhabitants of this island to provide themselves with a ANNUAL sufficient number of white men, white women, or white children, or pay certain sums of money in case they shall be deficient; and applying the same to several uses; to protect freeholders on the days of choosing churchwardens and vestrymen; and to ascertain who shall be deemed duly qualified to vote at such elections.—In force until 31st December, 1797.—[13th December, 1796.]

C A P. V.

An act for establishing and declaring rules and articles of war.—In force until 31st ANNUAL December, 1797.—[13th December, 1796.]

C A P. VI.

An act to enable the right honourable Alexander earl of Balcarres, lieutenant-gover- ANNUAL VOL. III. P P nor.

nor and commander in chief of this island, or the governor or commander in chief for the time being, to issue his majesty's royal proclamation, during the recess of the assembly, prohibiting the exportation of flour and other provisions from this island, for a limited time.—In force until 31st December, 1797.—[13th December, 1796.]

C A P. VII.

ANNUAL.

An act to appoint commissioners to inspect the books of the receiver-general, and to settle and adjust the public accounts.—In force until 31st December, 1797.—[13th December, 1796.]

C A P. VIII.

An act for appointing commissioners for forts and fortifications.—[13th December, 1796.]

Preamble.

Members of the council, and members of the assembly for the time being, to be commissioners of forts and fortifications.

Commissioners, with the governor, to direct the repairing and building forts, &c.

WHEREAS it is necessary that commissioners should be authorized and appointed, to inspect the forts and fortifications of this island, and to order the repairing, and making additions to, such forts and fortifications as are already erected and built, and to erect and build such others as may be thought proper and necessary to be erected and built: We, your majesty's dutiful and loyal subjects, the assembly of this your majesty's island of Jamaica, humbly beseech your majesty that it may be enacted, and it is hereby enacted and ordained by the lieutenant-governor, council, and assembly, of the said island, That the honourable John Palmer, Thomas Wallen, William Henry Ricketts, John Scott, George Crawford Ricketts, John Rodon, John Lewis, and James Jones, esquires, members of the council; the honourable William Blake, esquire, speaker of the assembly, or the speaker of the assembly for the time being, Philip Redwood, Samuel Whitehorne, Andrew Johnstone, Eliphilet Fitch, John Jaques, Alexander Shaw, Matthew Wallen, Fairlie Christie, Oliver Hering, Thomas Cockburn, John Dawson, Lewis Cuthbert, Robert Ross, William Jackson, Alexander Macleod, William Thompson, Peeke Fuller, Theodore Foulks, John Henckell, Thomas Anderson, Dutton Smith Turner, George Murray, Joseph James Swaby, James Wedderburn, William Dawes Quarrell, Richard Haughton Reid, John Mowat, John Perry, James Irving, James Stewart, Alexander Fullerton, James Henry, Charles Grant, William Ross, Donald Campbell, Henry Shirley, Charles Bryan, George Fuller, Simon Taylor, Kean Osborn, Andrew Deans, and Robert Telfer, esquires, members of the present assembly, or the members of the assembly for the time being, be, and they are hereby, appointed commissioners; and they, or any five of them, one of the council, and three of the assembly, being always part of that number, are hereby authorized and empowered, jointly with his honour the lieutenant-governor, or the governor, lieut-

tenant-governor, or commander in chief, for the time being, to order the repairing and making any additions to the forts and fortifications that are already built, and to complete and finish such other fortifications as are already begun, and to erect any others that may hereafter be directed to be built by this or any future assembly; and they are hereby also authorized and empowered, to make contracts with workmen, or others, for materials, workmanship, and labour, and to hire or purchase negroes, for the repairing, carrying on, and finishing the same.

to contract with workmen, and hire or purchase negroes.

II. And be it further enacted by the authority aforesaid, That, on all occasions, when work is to be done for the public, the commissioners of forts and fortifications shall make no engagement or agreement, with any person in particular, but shall publicly advertise in the Spanish-Town news-paper, and in the Royal Gazette, for all persons to give in, by a certain day, proposals and estimates for such works, sealed up; in order that the person who will execute the same on the best and cheapest terms, may be employed.

No agree-
ment to be
made without
previous pub-
lic advertise-
ment,

III. And be it enacted by the authority aforesaid, That no contract shall be made, unless good and sufficient security be given by the tradesman, or contractor, for performing his agreement.

nor contract entered into without secu-
rity.

IV. And be it further enacted by the authority aforesaid, That no money shall be issued or paid, out of the funds already granted, or to be granted, for the use of the forts and fortifications, but by order under the hand of his honour the lieutenant-governor, or the governor, lieutenant-governor, or commander in chief, for the time being, jointly with the said commissioners, or any five of them, one of the council, and three of the assembly, being always part of that number.

No money to
be paid for
works at cer-
tain places
without or-
ders from the
governor and
five commis-
sioners;

V. And be it further enacted by the authority aforesaid, That the said commissioners, or any five of them, one of the council, and three of the assembly, being always part of that number, shall have full power and authority, jointly with his honour the lieutenant-governor, or the governor, lieutenant-governor, or commander in chief, for the time being, to order the digging up, and carrying away sand or earth, or collecting, blowing up, and carrying away, stones, for the use of the said forts and fortifications, out of the land of any person whatsoever, making the proprietor or proprietors a reasonable compensation for the same, as also for any damage or injury that may arise to such proprietor or proprietors, by reason or means of the digging up of sand or earth, or collecting or blowing up of stones, or carrying away such materials.

who may or-
der stones and
other mate-
rial to be col-
lected from
lands of any
persons, mak-
ing satisfa-
ction.

VI. And be it further enacted by the authority aforesaid, That the said commissioners, herein before appointed, shall not lay out or expend more

No more to
be expended
on forts and

fortifications
than granted
by the assem-
bly.

This act to be
in force till
Dec. 1799.

money upon the said forts and fortifications, than shall be granted, from time to time, by the assembly, for the use of the said forts and fortifications.

VII. And be it further enacted by the authority aforesaid, That this act, and every clause, matter, and thing, therein contained, shall continue and be in force, from the passing thereof, for and during the term of three years, and no longer.

C A P. IX.

An act to amend an act entitled, "An act to repeal an act, passed in the year one thousand seven hundred and fifty-nine, entitled, 'An act to augment the salary of his excellency George Haldane, esquire, and for providing certain lands and premises to be annexed to the government, for the use of the governor for the time being;' also one other act, passed in the year one thousand seven hundred and ninety-five, entitled, 'An act to explain, amend, and render more effectual, "An act to augment the salary of his excellency George Haldane, esquire; and for providing certain lands and premises to be annexed to the government, for the use of the governor for the time being;" to enable certain commissioners to sell the government pen and mountain, with the buildings, slaves, and cattle, thereunto belonging, and to apply the monies arising from such sale, towards defraying the expences of the government of this island; and for granting a further additional salary to the right honourable Alexander earl of Balcarres, lieutenant-governor and commander in chief, during his administration, in lieu of the said pen and mountain."—[13th December, 1796.]

Preamble.

36 Geo. III.
c. 32.

WHEREAS, in and by an act of the lieutenant-governor, council, and assembly, of this island, passed on the first day of May, in the present year of our Lord one thousand seven hundred and ninety-six, entitled, *An act to repeal an act, passed in the year one thousand seven hundred and fifty-nine, entitled, "An act to augment the salary of his excellency George Haldane, esquire; and for providing certain lands and premises to be annexed to the government,*

ment;

ment, for the use of the governor for the time being ;" also one other act, passed in the year one thousand seven hundred and ninety-five, entitled, " An act to explain, amend, and render more effectual, ' An act to augment the salary of his excellency George Haldane, esquire; and for providing certain lands and premises to be annexed to the government, for the use of the governor for the time being ;' to enable certain commissioners to sell the government pen and mountain, with the buildings, slaves, and cattle, thereunto belonging; and to apply the monies arising from such sale towards defraying the expences of the government of this island; and for granting a further additional salary to the right honourable Alexander earl of Balcarres, lieutenant-governor and commander in chief, during his administration, in lieu of the said pen and mountain," after reciting, as therein is particularly recited, it was, among other things, enacted, " That the commissioners of the board of works for the time being, should be, and they were thereby appointed, commissioners to sell and dispose of the pen and pen lands, mountain polinck and premises, therein mentioned, and the houses, out-houses, and buildings, thereon respectively erected and built, or to be thereon respectively erected and built, and also the negro or other slaves, cattle, and stock, thereon and thereunto belonging, with all and singular their rights, members, and appurtenances, for the best price or prices that could be had or gotten for the same respectively : And that all and every sum and sums of money, to arise by the sale and disposal, or any security to be received in payment thereof, should be, by the said commissioners, or some or one of them, paid in to, or lodged in the hands of, the receiver-general for the time being, to be applied towards defraying the expences of the government of this island :" And it was, in and by the said act, further enacted, " That the further sum of two thousand pounds, current money of this island, *per annum*, over and above the salaries then provided, to commence from the day after the day of the passing of the said act, should be paid to the right honourable Alexander earl of Balcarres, your majesty's lieutenant-governor and commander in chief of this island, during his residence in this island, as lieutenant-governor and commander in chief, and no longer, by your majesty's receiver-general for the time being, out of any fund or funds in his hands unappropriated :" **And whereas**, in and by the said act, no provision is made for granting and paying to your majesty's captain-general and governor of this island for the time being, any annual sum or sums of money, in lieu of the said pen and pen lands, mountain polinck, and premises, so directed to be sold, which it is just and necessary should be done : Therefore,

We, your majesty's dutiful and loyal subjects, the assembly of Jamaica, the better to enable your majesty's captain-general and governor of this island, for the time being, to support the honour and dignity of your majesty's government, **do give and grant** the further sum of two thousand pounds, current money of this island, *per annum*, over and above the salary already provided, to be paid quarterly, to your majesty's captain-general and governor of this island, for the time being, during his residence here as governor, in lieu of the said pen and pen lands, mountain polinck and premises :

Recital of
clauses 2 and 4,

and of clause 6
of the above
act.

Additional salary
of 2000.
granted to the
captain-general,
during
his residence
here as such.

And

And most humbly beseech your majesty that it may be enacted; Be it therefore enacted by the lieutenant-governor, council, and assembly of this your majesty's said island, and it is hereby enacted and ordained by the authority of the same, That the further sum of two thousand pounds, current money of this island, *per annum*, over and above the salary already provided, shall be paid to his majesty's captain-general and governor of this island for the time being, during his residence in this island, as captain-general and governor, and no longer, by his majesty's receiver-general for the time being, out of any fund or funds unappropriated, in his hands, in lieu of the said pen and pen lands, mountain polinck and premises; and that this or any future assembly will make good the same.

C A P. X.

An act for regulating the fees of the masters of the high court of chancery of this island.—[13th December, 1796.]

10 Ann. cap. 4.
Preamble:

Establishment
of fees to be
taken by mas-
ters in chan-
cery.

WE, BY C E R E A S an act of this island, entitled, *An act for regulating fees*, hath regulated the fees to be given to the masters in chancery in part only: And whereas much business is transacted before the said masters, for which no fees are established by law, but the fees are left discretionary; which has been and may be attended with great inconvenience to the suitors of the said court: For the prevention whereof, and to settle and ascertain by law the fees to be by them taken, We, your majesty's dutiful and loyal subjects, the lieutenant-governor, council, and assembly of this your majesty's island of Jamaica, do most humbly beseech your majesty that it may be enacted; Be it therefore enacted and ordained by the authority of the same, That the several masters of the high court of chancery of this island shall, from and after the thirty-first day of December, in the present year of our Lord one thousand seven hundred and ninety-six, be paid and allowed, and have and receive, the several sums of money, herein after mentioned and directed to be paid and received by them, as and for their fees; *videlicet*, For an affidavit or oath to every answer, one shilling and three pence, and for his trouble in examining, making up, sealing, and returning such answer to the court, eight shillings and nine pence; for all other affidavits, one shilling and three pence; for his attendance in taking the examination of witnesses under and by virtue of any commission issuing out of the high court of chancery of this island, in any cause to them or either of them directed, two pounds ten shillings *per day*; for copying and transcribing fair the examination or examinations of any witnesses to be by them signed, one shilling and three pence *per sheet*, containing twelve words in a line and twenty lines in a sheet; for every warrant or summons for the parties to attend before him, five shillings, and for every certificate signed by

by such master, five shillings; for every day the said master shall attend at the instance of either of the parties, or their solicitors, to take and settle the several accounts directed by the said court, and for other business to be done and transacted before him, by virtue of such order, two pounds ten shillings; for taking the examination of witnesses before him, at the instance of any of the parties, or their solicitors, by virtue of any decretal order of the said court, made in any cause to him directed, two pounds ten shillings *per day*; for every exhibit marked or signed by him, and made in proof when a cause shall be at commission, or any account exhibited before him, on reference (excepting any receipts or vouchers which may be produced to prove the authenticity of any accounts) taken before him, two shillings and six pence; for drawing the draft of his report to be laid before the parties or their solicitors, one shilling and three pence *per sheet*, containing twelve words in a line and twenty lines in a sheet, and a fair copy thereof to be returned to the court, at and after the same rate; for a copy of the said report, if required thereto by the parties or their solicitors, one shilling and three pence *per sheet*, containing twelve words in a line and twenty lines in a sheet; for copies of accounts, to contain twenty lines in a side, and twelve words in a line, besides the columns for dates and sums, one shilling and three pence; for their trouble in attending the sale of any lands, slaves, or other premises, by virtue of and under any order or decree of the said court, five pounds for each day's attendance on such sale, if in any of the three towns, St. Jago de la Vega, Port-Royal, and Kingston, over and above any travelling expences such master may be put to, in going from the place of his abode to either of the said towns; but in case it shall be necessary for any such master, to go from his place of residence in any of the said towns to any other place, at the desire of either of the said parties who shall be interested in any sale, or other business to be by them done, by virtue of any order of the court of chancery, such master shall be at liberty to take and receive, from such person or persons who shall desire such his attendance from his place of residence, all such sum and sums of money as shall be agreed to be paid him for such his trouble; for taxing a bill of costs, one pound five shillings.

II. And be it further enacted by the authority aforesaid, That in case the master or masters of the court of chancery of this island, from and after the commencement of this act, on any pretence whatsoever, shall presume to ask, demand, take, or receive, any greater or other fees, sum or sums of money, or other reward, save what is herein before prescribed, all and every such master or masters, so asking, demanding, taking, or receiving, shall, for every offence, forfeit the sum of five hundred pounds, current money of Jamaica (one moiety whereof shall be to the use of his majesty, his heirs and successors, for and towards the support of the government of this island, and the contingent charges thereof, and the other moiety to the informer, or him, her, or them, that shall sue for the same), and be further incapacitated to bear any such office or place of trust.

Masters taking greater fees to forfeit 500*l.* and to be incapacitated to bear said office.

III. And

No commissions to be allowed to masters on sales of estates under decrees.

Clauses in former fee-laws, which relate to the fees of masters, repealed.

Masters to attend at their offices, on days for business referred to them, from nine to twelve in the forenoon, and be paid in proportion to the time they sit.

Table of masters fees to be affixed in the register's office, under the penalty of 50/-

Master's bill to be taxed by the register, subject to further order of court.

Register's fee for taxation.

III. And be it further enacted by the authority aforesaid, That the said masters, any or either of them, where any sale or sales are directed to be before a master, such master shall not be entitled, upon such sale or sales of such purchase, to any sum or sums of money whatsoever for commissions, or for his trouble in lieu thereof, but shall be entitled to such fees only for his attendance at such sales as herein before mentioned; any thing in this or any other act, law, custom, or usage, to the contrary thereof in anywise notwithstanding.

IV. And be it further enacted by the authority aforesaid, That all and every clause and clauses, particularly enumerating fees only, in any former act or acts for regulating fees, so far as relates to any fees to be taken by the masters of the said court of chancery, shall be, and are hereby, repealed, annulled, and made void, to all intents and purposes whatsoever; any thing in such former act or acts, law, custom, or usage, to the contrary in anywise notwithstanding.

V. And be it further enacted by the authority aforesaid, That the several masters of the said court of chancery shall give his and their attendance, on all days by him or them appointed to transact or carry on any business, which shall be by the said court referred to him, at his office, from nine to twelve of the clock in the forenoon of such days; and that the day's attendance for which he is to be paid by virtue of this act, for business to be by him transacted, shall be so paid to him in proportion to the time he sits and transacts business, to be computed in the manner aforesaid.

VI. And be it further enacted by the authority aforesaid, That a table of the above-mentioned sums, allowed as fees to the said masters, be affixed and kept up at the most public place of the office of the register of the high court of chancery of this island, within sixty days next after the commencement of this act, by the register of the said court, under the penalty of fifty pounds current money of Jamaica.

VII. And be it further enacted by the authority aforesaid, That, in case of any dispute between the master and the parties, or their solicitors, relative to their demands for costs to be paid to them, the bill of such master shall be referred to the register of the said court to be taxed, subject to the further order of the said court, according to this law.

VIII. And be it further enacted by the authority aforesaid, That, for such taxation, the register shall be allowed the sum of one pound five shillings, and no more.

IX. And

IX. And be it further enacted by the authority aforesaid, That all penalties and forfeitures, in this act before mentioned, shall be recovered, by action of debt, bill, plaint, or information, in the supreme court of judicature of this island, wherein no escoin, imparlance, wager of law, or injunction, shall be granted, or *non vult ulterius prosequi* be entered or allowed; one moiety whereof shall be to our sovereign lord the king, his heirs and successors, for and towards the support of the government of this island, and the contingent charges thereof, and the other moiety to the informer, or him, her, or them, who shall sue for the same; any law, custom, or usage, to the contrary thereof in anywise notwithstanding.

Penalties how
to be reco-
vered and ap-
plied.

X. And be it further enacted by the authority aforesaid, That this act, and every clause, matter, and thing, therein contained, shall continue and be in force, from the thirty-first day of December, in the present year of our Lord one thousand seven hundred and ninety-six, until the thirty-first day of December, which will be in the year of our Lord one thousand eight hundred and two, and no longer.

This act re-
main in force
till 31st Dec.
1802.

C A P. XI.

An act for ascertaining, assessing, and collecting, a tax on transient traders, in the town of Savanna-la-Mar.

[13th December, 1796.]

W^HE^ER^EAS transient traders, who do not contribute any thing ^{Treasable.} towards defraying the contingencies of the parish of Westmorland, do frequently import large quantities of goods into the said parish, thereby obtaining a manifest advantage over the inhabitants of the said parish, settled and established there, and paying taxes: It is, therefore, just and reasonable, that the said transient traders should contribute, in proportion, to the payment of the parochial and other taxes of the same: *May it please your majest^y that it may be enacted; Be it therefore enacted by the li- u- tenant-governor, council, and assembly, of this island, and it is hereby en- acted and ordained by the authority of the same,* That, from and after the thirty-first day of December, in the present year of our Lord one thousand seven hundred and ninety-six, all masters of vessels, supercargoes, and all other persons whomsoever, who are not taxed upon the parish rolls, who shall arrive at the said town or parish, with slaves, goods, wares, and mer- chandise, for sale or barter, or to be delivered and disposed of under any previous order or agreement, and for which the importer or importers are entitled to receive any advance or profit on the first cost, shall be deemed transient traders, within the meaning of this act...

Persons not
paying taxes
in Westmor-
land, who
carry goods
there for sale,
to be deemed
transient tra-
ders.

II. And be it further enacted, That, after the said thirty-first day of De- cember, in the year aforesaid, the justices and vestry of the said parish may, and are hereby authorized and required to, assess and tax such transient tra- ders, so as the sum or sums of money, at which such transient traders shall

Vestry to tax
transient tra-
ders 2 per
cent. on the
amount of
their invoices.

be assessed, shall not exceed the sum of two pounds *per cent.* on the amount of the invoice or invoices of such cargo or cargoes, so by them imported, whether they sell the same by private or public sale, or by wholesale or retail, or through the medium of a vendue-master, or in any other way whatsoever.

III. And be it further enacted by the authority aforesaid, That the justices and vestrymen of the said parish shall, annually, elect a fit and proper person to be collector of the transient tax aforesaid, in the same manner that other parochial officers are usually elected, and shall make to such collector, from time to time, a reasonable allowance for his trouble, not exceeding ten pounds *per cent.* on the sum actually collected.

Justices, &c. to elect a collector of this tax annually, and settle his allowance.

His hours of attendance.

IV. And be it further enacted by the authority aforesaid, That the said collector, so to be appointed, shall keep an office in the town of Savanna-la-Mar, and shall attend, or have a proper person attending, to transact all business respecting the transient tax, from nine of the clock in the forenoon, until two in the afternoon, of all such days on which business is usually done at the custom-houses in this island.

Transient traders to attend collector within forty-eight hours after arrival of goods, and take the following

Bath;

V. And be it further enacted by the authority aforesaid, That all and every such transient traders, as aforesaid, shall, and they are hereby obliged and required to, repair to the office of the collector of the transient tax, within forty-eight hours after the arrival of any goods, wares, or merchandize, subject to such tax, and produce their invoice or invoices to the said collector, or person officiating for him, and take and subscribe the following oath; which the said collector is hereby authorized and required to administer:

as well as pay
the monies, or
give bond with
security.

And such transient trader shall forthwith pay over the amount of the transient tax, on such goods, into the hands of the said collector, unless the same shall exceed the sum of five pounds; in which case, such transient trader shall be at liberty to enter into a bond, with one sufficient security, an inhabitant of the said parish, for the due payment thereof, within thirty days; and for each bond the collector shall be entitled to the sum of two shillings and six pence, and no more, from such transient trader: **Provided always**, That if any transient trader shall, previous to entering the vessel and cargo at the custom-

custom-house, consign his cargo for sale, to any inhabitant within the said parish, standing assessed with his parochial taxes, in the parish-books, at the usual and accustomed commissions charged on the sale of such cargoes; which cargoes, of the same nature, and from the same place, are subject and liable to, for sales and remittances; and shall take and subscribe the following oath:

I, A. B. do swear (or, being a quaker, do solemnly affirm), that I did consign, previous to the entry at the custom-house, all the merchandize imported by me, in the ship or vessel from either on my own account, or consigned to me, as agent or factor, in the said vessel, to , to whom I have agreed to give, and will allow, the usual and customary commissions that are charged by the merchants of Savanna-la-Mar, on goods consigned from the said place, without any collusion whatever, by receiving back any part of the said commissions, or abatement, in order to evade payment of the tax to which transient traders are liable.

—So help me God:

And also, that the consignee or consignees of such cargo do, in corroboration thereof, take and subscribe the following oath:

I, A. B. do solemnly swear (or, being a quaker, do solemnly affirm), that C. D. hath duly consigned to me, all the merchandize imported by him, either on his own account, or consigned to him, as agent or factor, on board the ship or vessel called from and that I shall charge the sales thereof with the usual and customary commissions that are charged for sales of the like commodities, from the same place; and that I have not agreed to, nor will by any means whatever, either directly or indirectly, refund or remit any part of the said commissions, either to the said C. D. or to any other person or persons in trust for him, or the real and true owner of the said property, so consigned to me.—So help me God:

Which said oaths the said collector is hereby authorized and required to administer; then, and in such cases only, the said collector shall remit the whole of the said tax.

VI. And be it further enacted by the authority aforesaid, That, in case any such transient trader or traders shall not, within forty-eight hours as aforesaid, repair to the office of the collector of the transient tax, and there produce his invoice, and take such oath as is hereby required, and pay over the amount of the transient tax, or give the security hereby directed to be given, for the payment thereof, it shall and may be lawful for the justices and vestry of the said parish, to assess such transient trader according to the best information they can procure of the prime cost of the goods, subject to such tax; such assessment to be in the discretion of the justices and vestry of the said parish, but not to exceed double the tax such transient trader would have been subject to, for so much as may come to the knowledge of the said justices and vestry.

If transient traders do not attend collector, as above directed, they are to be assessed;

not exceeding double what they ought to pay;

and if they refuse to pay the assessment:

VII. And be it further enacted by the authority aforesaid, That if any such transient trader shall refuse to pay the tax so assessed as aforesaid, it shall

it is to be levied; in which case, collector is to have commission.

If distract
cannot be
found, they
may be fined,
(not exceed-
ing twenty
pounds over
the assessement)
and imprison-
ed.

Persons who
swear falsely
are to be pun-
ished as those
guilty of cor-
rupt perjury
in England.

Collector to
account with,
and pay over
monies to, the
churchwardens,
quarterly, deduc-
ting his commis-
sions.

and may be lawful to and for the said collector, to levy upon his or their goods or merchandize, and the same to dispose of at public sale; and the said collector shall, out of the monies to arise from such sale, be entitled to retain, not only the amount of the taxes due, but also a commission for his trouble, at the rate of one shilling for every twenty shillings, and also all incidental charges and expences: And, in case the said collector shall not be able to find sufficient goods, wares, or merchandize, of such transient trader, whereon the said tax may be levied, then, and in every such case, the said collector is hereby required to apply to two magistrates of the said parish, and make oath, that he the said collector hath not been able to find goods and chattels of the offender, whereon to levy; and the said two magistrates are hereby authorized and required forthwith to issue their warrant, directed to the marshal or constable and constables to apprehend, and bring before them, the said transient trader; and, when so brought, the said two magistrates shall, after examination, set a fine on the said transient trader, according as to them shall seem meet; provided such fine does not exceed twenty pounds, over and above the tax assed; and the said two magistrates shall, immediately, commit the said transient trader, so offending, to the common gaol, or other prison, in the parish aforesaid, there to remain closely confined, until such offender shall have paid, not only the amount assed on him for transient tax as aforesaid, but also the said fine, and all incidental charges and expences; which charges and expences the said magistrates are hereby empowered to regulate and allow.

VIII. And be it further enacted by the authority aforesaid. That, if any person or persons, who shall swear to any or either of the oaths hereby required, shall be hereafter found to have sworn falsely, such person or persons shall be liable to be tried for wilful and corrupt perjury, at the supreme court of judicature, or either of the courts of assize in this island; and, being thereof convicted, shall be punished as persons guilty of wilful and corrupt perjury, are usually punished, under the laws of England.

IX. And be it further enacted by the authority aforesaid. That the said collector shall, once in three months, come to an account with the churchwardens for the time being, of the said parish, for all the monies he may collect, under and by virtue of this act; and, after deducting such sum as the justices and vestry may allow him for his trouble, shall pay over the balance to the said churchwardens, to be by them applied in defraying the contingencies of the said parish.

C A P. XII.

ANNUAL.

An act for raising a tax by the poll, and on trades, supercargoes, and masters of vessels, and on offices and houses, and on certain wheel-carriages; and applying the same to several uses.—In force until 31st December, 1797.—[21st December, 1796.]

C A P.

C A P. XIII.

An act to repeal an act entitled, "An act for raising a tax by a duty on vellum, parchment, and paper, ascertained by stamps; and applying the same to the public service;" and for regulating the manner of raising a tax by a duty on vellum, parchment, and paper, ascertained by stamps; and applying the same to the public service; and for appointing commissioners for that purpose.

[21st December, 1796.]

WHICHERCAS an act, passed on the first day of May, in the present year of our Lord one thousand seven hundred and ninety-six, entitled, *An act for raising a tax by a duty on vellum, parchment, and paper, ascertained by stamps; and applying the same to the public service,* has been found to be defective: **A**nd whereas the means hitherto annually used, for raising supplies for the support of the government of this island, are not sufficient to answer the present extraordinary exigencies and contingencies, and to discharge the public debts: **W**ay it please your majesty that it may be enacted; **E**re it therefore enacted by the lieutenant-governor, council, and assembly of this your majesty's island of Jamaica, and it is hereby enacted and ordained by the authority of the same, That the herein before mentioned act shall, from the thirty-first day of December, one thousand seven hundred and ninety-six, be and stand repealed, to all intents and purposes whatsoever: And that, from and after the said thirty-first day of December, for and during the continuance of this act, and no longer, there shall be raised, collected, and paid, for the several and respective things herein after mentioned, which shall be written, engrossed, or printed, over and above the rates, fees, duties, and sums of money then to be due and payable, the several and respective rates, impositions, duties, charges, and sums of money herein after expressed, in manner and form following; that is to say,

For every piece or sheet of paper, skin, or piece of vellum or parchment, on which any grants or letters patent, granting a commission of chief-justice and assistant judges of the supreme court, shall be written or printed, the sum of twenty-five pounds;

On which shall be written or printed a commission of chief judge, and assistant judges of the court of common pleas, the sum of five pounds;

On which shall be written or printed a commission or writ of association, for assistant judges of the court of common pleas, the sum of two pounds ten shillings;

Preamble.

36 Geo. III.
cap. 29, re-
pealed.

Stamp-duty
to be collect-
ed from 31st
December,
1796, on

Commission
of chief-jus-
tice and
judges of su-
preme court;

Chief judge
&c. of com-
mon pleas;
Writ of asso-
ciation;

On

Custos rotulorum and magistrates;

Writ of association;

Master in chancery, ordinary, and extraordinary;

Land surveyor;

Notice for a private bill;

Order for land, &c.

Commission, &c. of 100. value;

Presentation to a benefice;

Admittance of an attorney;

Appeals;

On which shall be written or printed a commission of *custos rotulorum*, and magistrates, for any precinct within this island, the sum of fifteen pounds;

On which shall be written or printed a commission or writ of association for magistrates, for any of the precincts within this island, for each nomination therein, the sum of two pounds ten shillings;

On which shall be written or printed a commission of master in ordinary in the court of chancery, the sum of five pounds;

On which shall be written or printed a commission of master extraordinary in the court of chancery, the sum of five pounds;

On which shall be written or printed a commission of land surveyor, the sum of ten pounds;

On which shall be written or printed an order to a minister, to publish in church intentions to apply for a private bill, the sum of ten shillings;

For every piece or sheet of paper, skin or piece of vellum or parchment, on which any orders for lands, or any other beneficial order, under the sign manual or seal at arms of the governor or commander in chief for the time being, for any sum exceeding twenty pounds, shall be written or printed, the sum of twenty shillings;

For every piece or sheet of paper, skin or piece of vellum or parchment, on which any grant, commission, warrant, or appointment, from the governor or commander in chief for the time being, of any office or employment of the value of one hundred pounds *per annum*, or upwards, shall be written or printed, the sum of ten pounds:

For every piece or sheet of paper, skin or piece of vellum or parchment, on which a presentation to any benefice or church-living in either of the parishes of this island (the parishes of St. David, St. George, and Portland, excepted), shall be written or printed, the sum of ten pounds; and on which a presentation to a benefice or church-living in either of the said parishes of St. David, St. George, and Portland, shall be written or printed, the sum of five pounds:

For every piece or sheet of paper, skin or piece of vellum or parchment, on which the certificate of admittance of any solicitor, attorney, clerk, advocate, proctor, or notary, or other officer in any court in this island, shall be written or printed, the sum of ten pounds; and any attorney, solicitor, clerk, advocate, proctor, or notary, or other officer of any court in this island, who shall not take out a certificate of his admittance, is hereby declared incapable of practising, acting, or officiating, under such admittance or otherwise, in either of the said capacities respectively:

For every piece or sheet of paper, skin or piece of vellum or parchment, on which the public attestation to any appeal from the court of admiralty, the court of chancery, or the court of errors, or the supreme court of judicature of this island, shall be written, the sum of five pounds:

For

For every piece or sheet of paper, skin or piece of vellum or parchment, on which any commission of general officer of the militia of this island shall be written or printed, the sum of fifty pounds : Commission of general officer in militia ;

On which any commission of field officer in any regiment of militia shall be Field officer ; written or printed, the sum of five pounds ;

On which any commission of captain, or of any appointment conferring such rank, shall be written or printed, the sum of two pounds ten shillings ; Captain ;

On which any commission of subaltern officer, or conferring rank as such in the militia of this island, shall be written or printed, the sum of one pound five shillings ; Subaltern ;

On which shall be written or printed a commission of quartermaster to any of the regiments or battalions of foot, or troops of horse, of the militia of this island, the sum of one pound five shillings ; Quartermas- ter ;

On which shall be written or printed a commission of adjutant to any of the regiments or battalions of the militia of this island, the sum of one pound five shillings ; Adjutant ;

On which shall be written or printed a commission or appointment of surgeon to any of the regiments or battalions, or troops of horse, of the militia of this island, the sum of two pounds ten shillings ; Surgeon ;

On which shall be written or printed a commission or appointment of surgeon's mate to any of the regiments or battalions, or troops of horse, of the militia of this island, the sum of one pound ten shillings ; Surgeons mate ;

On which shall be written or printed a commission of lieutenant of any of the forts on the island establishment, the sum of ten pounds ; Lieutenant of fort ;

On which shall be written or printed a commission of staff or brevet officer, conferring rank above that of captain, the sum of ten pounds ; Brevet rank ;

On which shall be written or printed a warrant of quarter-gunner of any of the forts on the island establishment, the sum of twenty pounds ; Quarter-gunner ;

On which shall be written or printed a commission of physician-general of the militia, the sum of one hundred pounds ; Physician-ge- neral ;

On which shall be written or printed a commission of surgeon-general of the militia, or of his deputy, the sum of one hundred pounds ; Surgeon-ge- neral ;

On which shall be written or printed a commission of judge-advocate-general, or of deputy judge-advocate-general of the militia, the sum of one hundred pounds ; Judge-advo- cate-general ;

On which shall be written or printed a commission of deputy judge-advocate to any of the regiments or battalions, or troops of horse, of the militia, the sum of one pound five shillings : Deputy judge advocate ;

On which shall be written or printed any commission in the militia, not herein before mentioned, the sum of ten pounds. Any other commission.

Commissions without stamps to be void.

Stamp-duty on recognizances;

Special bail; Commission from the courts;

Admiralty monitions;

Affidavits filed in court.

Notices, citations, &c.

Deeds;

Exemplifications, under seal of court;

Under island seal;

Papers under seal of ordinary;

II. And be it enacted, That all commissions in the militia, to be granted after the thirty-first day of December, one thousand seven hundred and ninety-six, which shall not be stamped as by this act is directed, shall be null and void, and are hereby declared to be made null and void, to all intents and purposes whatsoever:

For every piece or sheet of paper, skin or piece of vellum or parchment, on which any recognizance shall be written, the sum of five shillings;

On which any special bail shall be written, the sum of five shillings;

On which any commission that shall issue out of the court of chancery, or out of the supreme court, court of vice-admiralty, or any other court of judicature of this island, shall be written or printed, the sum of ten shillings:

For every piece or sheet of paper, skin or piece of vellum or parchment, on which any monition in the court of vice-admiralty shall be written or printed, the sum of ten shillings:

For every piece or sheet of paper, skin or piece of vellum or parchment, on which any affidavit, or any copy of an affidavit, that shall be filed and read in any court, shall be written (affidavits taken before any justice of the peace, pursuant to any act of this island for laying taxes, or relating to the execution of their duty as justices, to any debt under forty shillings, excepted), the sum of two shillings and six pence:

For every piece or sheet of paper, skin, or piece of vellum or parchment, on which any notice, citation, petition, protection, rule, order, or office-copy thereof, made, filed, read, or granted, in any court of this island (common notices of trial excepted), shall be written or printed, the sum of two shillings and six pence:

For every piece or sheet of paper, skin or piece of vellum or parchment, on which any deed, conveyance, re-conveyance, lease, release, renunciation, mortgage, surrender, gift, grant, or any other deed, shall be written, the sum of five shillings;

On which any attestations or exemplifications, that shall pass the seal of any court in this island, shall be written or printed, the sum of twenty shillings;

On which any attestations or exemplifications, that shall pass the seal of this island, shall be written or printed, the sum of twenty shillings:

For every piece or sheet of paper, skin or piece of vellum or parchment, on which any institution, letters testamentary, letters of administration, letters of guardianship, *dedimus potestatem*, warrant of appraisement, or any other instrument that shall pass the seal at arms of the governor or commander in chief for the time being, as ordinary of this island, or duplicates in offices of record, or office-copies thereof, shall be written or printed, the sum of ten shillings:

On which any license for selling wine, called grand licenses, and licenses for selling gunpowder, shall be written or printed, the sum of forty shillings; Grand licences;

On which any petty license shall be written or printed, the sum of twenty shillings: Petty licences;

For every piece or sheet of paper, skin or piece of vellum or parchment, on which any declaration or copy, writ of summons or arrest, signed by the respective clerk of any court in this island, shall be written or printed, the sum of ten pence; Declarations;

On which any writ of error shall be written or printed, the sum of twenty shillings: Writs of error;

On which any writ of *certiorari*, *capias*, partition, dower, or possession, shall be written or printed, the sum of ten shillings; of *certiorari*;

On which any writ of replevin, *scire facias*, *distringas*, or any replevin bond, shall be written or printed, the sum of five shillings; of replevin, &c.

On which any writ, not herein particularly specified, issuing out of the supreme court, court of vice-admiralty, or any inferior court of judicature of this island, shall be written or printed, the sum of two shillings and six pence: and all other writs.

Prohibited always, That nothing herein contained shall extend, or be construed to extend, to charge and make liable to and with any of the duties hereby imposed, any declaration, plea, demurrer, writ, *subpæna*, or other process whatsoever, had, filed in, or issuing out of, any court of common pleas within this island; but that all such process shall be, and is hereby declared to be, exempted from all and every such duties: **And provided**, That a writ of *habeas corpus* shall not be subjected to any of the duties imposed by this act: Petty court process exempted; also writs of *habeas corpus*.

For every piece or sheet of paper, skin or piece of vellum or parchment, on which any charter-party shall be written or printed, the sum of twenty shillings; Stamp-duty, On charter-parties;

On which any policy of insurance, shall be written, where the whole sum insured shall not exceed one thousand pounds, the sum of ten shillings; and where the sum insured shall exceed one thousand pounds the sum of twenty shillings; Policies of insurance;

On which any protest, letter of attorney, or any other notarial act done in this island, shall be written or printed, the sum of five shillings; Notarial acts;

On which any bill of lading, or receipt for goods, wares, or merchandize, to be exported from this island, shall be written or printed, the sum of ten pence; Bills of lading;

On which any bond, to be executed between party and party, shall be written or printed, for any sum not exceeding two hundred pounds, the sum of five shillings; for any sum exceeding two hundred pounds, and not exceeding Money-bonds;

exceeding five hundred pounds, the sum of ten shillings; for any sum exceeding five hundred pounds, and not exceeding one thousand pounds, the sum of fifteen shillings; for any sum exceeding one thousand pounds, the sum of twenty shillings:

Bonds to the King; For every piece or sheet of paper, skin or piece of vellum or parchment, on which any penal or security bond to his majesty, his heirs and successors (replevin bonds excepted), shall be written or printed, the sum of ten shillings; and also except those of foreign vessels trading under the act of parliament of Great-Britain commonly called the Free-Port act;

Certificates; On which any certificate, of any officer of any court of judicature or public office in this island, or from any clerk of the peace or clerk of the vestry of any precinct or parish in this island (excepting such as relate to taxes or paupers), shall be written or printed, the sum of one shilling and eight pence:

Demurrs, &c. For every piece or sheet of paper, skin or piece of vellum or parchment, on which any special plea or demurrer, filed in any court of this island, shall be written, the sum of five shillings;

Replications, &c. On which any replication, or rejoinder filed in, or deposition or interrogatory taken by commission issuing out of, any such court, shall be written, the sum of two shillings and six pence:

Proviso. **Provided**, That any plea of general issue, and the rule of executors and administrators, shall not be subject to any of the duties imposed by this act: **Provided nevertheless**, That nothing in this act mentioned shall extend, or be construed to extend, to charge with any of the duties imposed by this act, any act of the council or assembly, proclamations, acts of state, votes, or matters ordered to be printed by either branch of the legislature of this island, or by any of the parochial vestries, or any inquisition taken before any coroner or magistrate on the death of any person, affidavit or examination taken before any magistrate, or any criminal proceeding, writ of *capias pro fine*, probates, or acknowledgments of any deed or other instrument in writing, written on any part of the same deed or instrument in writing; and the same, and each and every of them, are hereby declared to be exempt from any duty by this act charged:

Stamp duty, On judgments, For every piece or sheet of paper, skin or piece of vellum or parchment, on which shall be written any judgment by any officer belonging to any court, the sum of five shillings;

or assignments; On which shall be written or printed an assignment of a judgment, the sum of two shillings and six pence;

Plats; On which any plat or return that shall be returned into any court or office, or any copy of any plat out of any public office, shall be written, the sum of one shilling and eight pence:

For every piece or sheet of paper, skin or piece of vellum or parchment, on which any *subpæna*, attachment, or *dedimus*, issuing out of the court of chancery or court of vice-admiralty, shall be written, the sum of ten shillings;

On which any writ of execution, process for contempt, or writ of *ne exeat*, issuing out of the court of chancery, shall be written, the sum of ten shillings;

On which any *subpæna*, issuing out of the supreme court of judicature of this island, shall be written or printed, the sum of ten pence;

On which any copy of toll, signed by a clerk of the peace, shall be written, the sum of three shillings and four pence;

For every piece or sheet of paper, skin or piece of vellum or parchment, on which any commission for a flag of truce shall be written or printed, the sum of ten pounds;

For every piece or sheet of paper, skin or piece of vellum or parchment, on which any sentence in the court of vice-admiralty, or on which any attachment issuing out of the same court, shall be written or printed, the sum of ten shillings;

On which any warrant, commission, or personal decree of the said court of vice-admiralty shall be written or printed, the sum of seven shillings and six pence;

For every piece or sheet of paper, skin or piece of vellum or parchment, on which shall be printed an almanack, the sum of ten pence;

For any number of pieces or sheets of paper bound up, and which shall compose a printed almanack, the sum of one shilling and eight pence;

For every piece or sheet of paper, skin or piece of vellum or parchment, on which shall be written a bond of arbitration, the sum of ten shillings;

On which shall be written or printed any bond of indemnity, the sum of ten shillings;

For every piece or sheet of paper, skin or piece of vellum or parchment, on which shall be written any awards on bonds of arbitration, the sum of ten shillings;

For every piece or sheet of paper, skin or piece of vellum or parchment, on which shall be written or printed any foreign bill of exchange, where the sum expressed therein, or made payable thereby, shall be above fifty pounds sterling, and not exceeding two hundred pounds sterling, the sum of one shilling and eight pence; where the sum shall be above two hundred pounds sterling, and not exceeding five hundred pounds sterling, the sum of two shillings and six pence; where the sum shall be above five hundred pounds sterling, the sum of five shillings;

Admiralty or
chancery *sub-
pænas*, &c.

Chancery
writs;

Grand court
subpænas;

Admiralty
sentence;

Warrant, or
decree;

Sheet alma-
nack;

Book alma-
nack;

Arbitration
bonds;

Indemnity
bonds;

Awards;

Foreign bills
of exchange;

On each bill; **And it is hereby declared**, That such stamp-duty, according to the rates aforesaid, shall be chargeable and imposed on each bill composing a set of bills of exchange:

Inland bills,
promissory
notes, &c.

For every piece or sheet of paper, skin or piece of vellum or parchment, on which shall be written any inland bill of exchange, drafts, or orders (bills, drafts, or orders on the receiver-general, excepted), promissory or other notes, where the sum or value expressed therein, or made payable thereby, shall amount to or exceed the sum of fifty pounds, the sum of one shilling and eight pence:

Marriage li-
censes;

For every piece or sheet of paper, skin or piece of vellum or parchment, on which shall be written or printed a marriage license, the sum of ten shillings:

Receipts for
legacies;

For every piece or sheet of paper, skin or piece of vellum or parchment, on which shall be written or printed any receipt or other discharge for any legacy left by any will or other testamentary instrument, or for any share or part of a personal estate divided by force of the statute of distributions, where the amount shall not exceed the sum of twenty pounds, the sum of five shillings; where the amount shall be above twenty pounds, and not exceeding one hundred pounds, the sum of two pounds; where the amount shall be above one hundred pounds, and not exceeding two hundred pounds, the sum of three pounds; where the amount shall be above two hundred pounds, and not exceeding three hundred pounds, the sum of four pounds; where the amount shall be above three hundred pounds, and not exceeding four hundred pounds, the sum of six pounds; where the amount shall exceed four hundred pounds, the further sum of two pounds for every additional one hundred pounds:

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Provided, That nothing in this act contained shall extend to charge, with the duties by this act imposed, any receipt or other discharge for any legacy left by any will or other testamentary instrument, or distributed by force of the statute of distributions, which shall be so devised or distributed to or amongst the wife, children, or grand children, of the person making such will or testamentary instrument:

Receipts for
money;

For every piece or sheet of paper, skin or piece of vellum or parchment, on which shall be written a receipt or other discharge for the payment of money above the sum of twenty pounds, the sum of ten pence;

Secretary's
receipt for
deeds;

On which shall be written a receipt, granted by the secretary of the island, for deeds or papers recorded in his office, the sum of two shillings and six pence;

Letters of at-
torney for re-
covery of
debts;

On which shall be written a receipt for a power or letter of attorney, for the recovery of debts or for the sale of property, there recorded, the sum of twenty shillings;

On

On which shall be written a receipt for a power or letter of attorney, for managing estates, there recorded, the sum of five pounds: for managing estates.

provided always, That the secretary of this island shall, and he is hereby Proviso. obliged to, give a separate receipt for each particular deed, instrument, or other paper writing, recorded in his office; and also that he shall not record any such deed, instrument, or other paper writing, which may be brought to his office for that purpose, without having delivered to the party bringing the same, a receipt, charged with the duty imposed by this act, under a penalty of fifty pounds for each such offence:

For every piece or sheet of paper, skin or piece of vellum or parchment, on which shall be written any articles of copartnership, or other agreement to that effect, the sum of twenty shillings: Articles of copartnership.

provided always, That nothing in this act contained, shall extend to charge any receipt given on the back of any bill of exchange, promissory or other note, stamped in pursuance of this act, or any receipt indorsed or contained in the body of any deed, bond, mortgage, or other obligatory writing, directed to be stamped by this act, or to any release or acquittance by deed, or any receipt given upon the back of any foreign bill of exchange, or any receipt given or granted to or by the receiver-general, or any of his deputies, or to or by any collecting constable or constables, for or in respect of any public or parochial taxes or duties: **And provided also,** That all receipts, in which the sum mentioned therein shall be expressed to be in full, or as a satisfaction of all demands, and all general acknowledgments of debts or demands being discharged, shall be deemed and taken to be receipts for above the sum of twenty pounds, and shall be liable to the duty of ten pence hereby imposed: **And provided also,** That no final discharge of a debt, by a balance struck in account current, shall be deemed legal, or be pleaded in discharge thereof, in any court of law or equity in this island, unless the paper on which the same shall be written, be charged with a stamp-duty of ten pence.

III. And be it enacted, That the respective duties hereby imposed and made chargeable, on bonds between party and party, promissory or other notes, drafts or orders, bills of exchange, and receipts, shall be at the cost of, and borne by, the party requiring or receiving any such bond, note, draft, bill, or receipt. By whom certain duties are to be paid.

IV. And, for the better securing the said stamp-duties hereby imposed, **be it enacted,** That if any bond, bill of exchange, promissory or other note, draft or order, receipt or other discharge, so hereby directed to be stamped, shall not be marked or stamped as by this act is directed, or shall be marked or stamped for a lower duty than as aforesaid, no such bond, bill of exchange, promissory or other note, draft or order, receipt or other discharge, shall be pleaded or given in evidence in any court, or admitted in any court to be good or available, in law or equity. Bills of exchange, &c. mis-stamped, invalid.

V. And

Deeds, &c.
stamped for a
greater value
than required,
to be valid.

Commission-
ers to stamp
deeds, &c.
brought to
them, the du-
ties being
paid.

Persons at-
tempting
fraudulently
to evade the
duties, to for-
feit 20l.

Stamp-duty
on adver-
tisements in the
news-papers;

Printers to
give bond to
pay the same
monthly.

V. **And be it enacted**, That any deed or instrument, or paper writing what-
soever, which shall bear a stamp or stamps of greater value than by this act
required, the same shall nevertheless be deemed and held, as good and valid
to all intents and purposes whatsoever.

VI. **And be it enacted**, That the commissioners to be appointed, by the
authority of this act, shall, and they are hereby required to stamp, or cause
to be stamped, any deed, instrument, or other writing, which may be
brought to them for that purpose, upon a certificate under the hand of the
receiver-general for the time being, or his deputy, being produced to them,
that the duties wherewith such deed, instrument or other writing, is hereby
charged, and which ought to be paid thereon, have been actually paid to him;
and forthwith to deliver the same, so stamped, back to the person or persons
bringing the same.

VII. **And be it enacted**, That all and every person and persons who shall
give or accept any receipt or acquittance, inland bill, draft, or order, in
which a less sum shall be expressed than the sum actually paid and received,
lent or advanced, with an intent fraudulently to evade any of the duties
hereby imposed and made payable thereon respectively; or shall separate or
divide the sum actually paid or received, lent or advanced, into divers re-
ceipts, inland bills, drafts, or orders, with intent to evade the said duties,
or either of them, or shall be guilty of or concerned in any fraudulent con-
trivance or device whatsoever, with intent or design to avoid the payment of
the said duties, or either of them, every such person so offending, shall for-
feit the sum of twenty pounds.

VIII. **And be it enacted**, That, for and on the first insertion of each ad-
vertisement contained in any of the public newspapers to be published in this
island, during the continuance of this act, there shall be paid by the pub-
lisher of such newspapers respectively, the sum of two shillings and six pence:
Provided, That advertisements containing lists of runaway slaves confined in
any workhouse or gaols, or of horses, cattle, or stock, impounded, shall be
exempt from the tax hereby imposed.

IX. **And**, in order the more effectually to compel the payment of the said
tax hereby imposed on advertisements, **be it enacted**, That, from and after the
said thirty-first day of December, one thousand seven hundred and ninety-six,
every proprietor, printer, or publisher of any newspapers now printed or pub-
lished, or which may be hereafter printed or published, within this island, in
which any advertisement, liable to the tax by this act imposed, shall be in-
serted, shall enter into bond with good and sufficient security, in the secre-
tary's office of this island, to our sovereign lord the king, his heirs and suc-
cessors, in the penal sum of one hundred pounds, to pay into the office of
the

the receiver-general of this island, or into the hands of the deputy receiver-general of the parish wherein such news-papers shall be published, at the end of every month, all sum and sums of money which may arise and be due and payable for or in respect of the tax hereby imposed: And in case any proprietor, printer, or publisher, as aforesaid, shall print or publish, or cause to be printed or published, any new advertisement in any such news-papers, before he shall have entered into such bond as aforesaid, he, she, or they, shall forfeit and pay the sum of twenty pounds.

X. **And be it enacted by the authority aforesaid,** That each proprietor, printer, or publisher, of any of the news-papers as aforesaid, in which any advertisement liable to the tax imposed by this act, shall be inserted, shall, and he is hereby required, under a penalty of twenty pounds for each omission or neglect, to deliver or transmit, within two days from the time of each publication of such news-paper, one of such news-papers to the office of the receiver-general, or to the lawful deputy of such receiver-general; and, from such news-papers, so delivered or transmitted, the receiver-general, or his lawful deputy, shall, from time to time, state an account of the sums of money due, payable, and owing, by such proprietor, printer, or publisher: **Provided nevertheless,** If it shall appear, on the settlements of the said accounts, that any matter contained in such news-papers has been charged with such tax which shall not be chargeable therewith, the said receiver-general, or his lawful deputy, is required to allow the same to the said publishers respectively, and to strike such surcharge out of the said accounts.

News-papers
to be sent to
receiver-ge-
neral's office,
every publi-
cation, under
penalty;

from whence
an account of
the duties is to
be stated.

XI. **And be it enacted,** That, from and after the said thirty-first day of December, one thousand seven hundred and ninety-six, all masters of ships or vessels trading to or from this island, except those of foreign vessels trading under the act of parliament of Great-Britain, commonly called the Free-Port act, shall, and they are hereby obliged and required, under a penalty of fifty pounds, to give security in the secretary's office of this island, that they, or any person for them, with their privity or consent, shall not, under the penalty of fifty pounds for each offence, sign any bill of lading, or receipt for any goods, wares, or merchandize, to be exported from this island, other than such as are stamped in the manner required by this act; and the secretary of this island is hereby required to take such security, by inserting the same in the condition of the bonds of masters of vessels giving security in his office, under the penalty of ten pounds.

Masters of
ships to give
security not
to sign bills of
lading un-
stamped.

XII. **And be it enacted,** That every foreigner, who shall be naturalized in this island, shall be obliged to take or procure a certificate of such naturalization, and record the same in the secretary's office, and on every sheet, piece, or skin, of paper, vellum, or parchment, on which such certificate shall be written, there shall be a stamp of ten pounds: **Provided,** That if any person

Duty on cer-
tificates of
naturalization
to foreigners.

and marriage
contracts of
Jews.

All deeds, &c.
to be written
on stamped
paper.

Proviso.

Proviso.

or persons, who shall be so naturalized, shall omit or neglect, within one month afterwards, to take or procure such certificate of his, her, or their naturalization, such naturalization shall be, and is hereby declared to be, void and of no effect or force ; and that on every sheet of paper, vellum, or parchment, on which the contract of marriage among the Jews, vulgarly called a *kettubah*, shall be written, there shall be a stamp of ten shillings.

XIII. *And be it further enacted by the authority aforesaid,* That all deeds or instruments, writings, and proceedings, at law or in equity, not herein before expressed, returns of attorneys and trustees, accounts of orphans' and trust estates, and accounts of mortgagees in possession, returns of inventories, and all surveys, re-surveys, plats, schemes, plans, returns of writs of view, and all other surveying business (except slips signed by surveyors), and all other proceedings at law or equity, not by this law excepted, and all records and copies thereof (drafts for perusal of council, briefs, or cases, excepted), shall, from the said thirty-first day of December, one thousand seven hundred and ninety-six, and during the continuance of this act, be wrote, transcribed, engrossed, or printed, upon a stamped piece or pieces, or sheet or sheets of paper, of such sorts and kinds (printed forms excepted), and to contain the number of lines in each sheet or sheets of paper, or upon a piece or pieces of skin or skins of vellum or parchment, as herein after expressed ; that is to say, On paper commonly called or known by the name of imperial and royal paper, or any paper, vellum, or parchment of the same size, one side of the sheet to be deemed a sheet, and not to contain more than forty lines of writing in the sheet ; on paper commonly called by the name of demy or medium paper, or any paper, vellum, or parchment of the same size, one side of the sheet to be deemed a sheet, and not to contain more than thirty lines of writing in each sheet ; on paper commonly called or known by the name of post paper, pro-patria, and foolscap paper, or any paper, vellum, or parchment of the same size, one side of the sheet to be deemed a sheet, and not to contain more than twenty-four lines in each sheet ; on paper commonly called or known by the name of king's arms, crown, or pot paper, or any paper, vellum, or parchment of the same or lesser size, one side of the sheet to be deemed a sheet, and not to contain more than twenty lines of writing in a sheet : **Provided always,** That it shall and may be lawful to write all accounts whatever, on both sides of a sheet of paper, each side to contain the number of lines herein limited for paper of the different sorts and sizes respectively, without being subject to any further stamp-duty than is hereby imposed on each such sheet of paper : **Provided also,** That in case, through any mistake of the writer, any sheet or sheets of paper should contain more lines than are hereby expressed and limited for each particular sized paper, the several matters contained in such writing shall be good and valid to all intents and purposes, as if no such mistake had happened, upon condition, that such sheet or sheets of paper be at any time before it is made use of in any

any court, stamped with another stamp of the same value it had before; which said second stamp, the commissioners are hereby required to make and impress thereon, on its being certified to them, by the receiver-general for the time being, or his lawful deputy, that such additional stamp or stamps hath or have been paid to him.

XIV. **And be it enacted**, That the rates, impositions, duties, and charges, imposed or intended to be imposed by this act, for stamps (except those herein before rated and fixed) shall be in manner and form following; that is to say,

For stamping each and every sheet of paper commonly called imperial or royal paper, or any paper, piece or skin of vellum or parchment, of the same size, five shillings;

For stamping each and every sheet of paper commonly called medium or demy paper, or any paper, piece or skin of vellum or parchment, of the same size, two shillings and six pence;

For stamping each and every sheet of paper commonly called post paper, pro-patria, foolscap, king's arms, crown, or pot paper, or any paper, piece or skin of vellum or parchment, of the same size, one shilling and eight pence.

XV. **And be it enacted**, That all deeds, conveyances, mortgages, releases, or other instruments in writing, wherein the consideration-money expressed shall amount to the sum of one thousand pounds or upwards, shall be subject to, and shall pay, an additional stamp-duty of five pounds; which said additional stamp, the commissioners herein after appointed are hereby directed to make or impress, upon a certificate under the hand of the receiver-general for the time being, or his deputy, being produced to them, that the said stamp-duty of five pounds, wherewith such deed, conveyance, mortgage, release, or other writing, is hereby charged, hath been paid to him, and any such deed, conveyance, mortgage, release, or writing, which shall not be stamped as by this act is directed, shall not be received or used in any court: And in case there shall be inserted in any deed, conveyance, mortgage, release, or other writing, a consideration or sum of money less than was actually paid, or agreed to be paid, before or at the time of the execution thereof, with an intent to evade the said stamp-duty of five pounds, every such deed, conveyance, mortgage, release, or other writing, shall be, and is hereby declared to be, null and void, to all intents and purposes whatsoever: **Provided always**, That nothing in this act shall extend to charge any last will, testament, or codicil accounts (except such accounts as are herein particularly expressed), bills of fees, nor letters of administration of any common sailor or soldier, who shall be slain or shall die in his majesty's service, (the same appearing by a certificate produced from the captain under whom he served), with the duties charged by this act.

One or more stamps of equal value, may be used, instead of a particular sum.

Lieutenant-governor to appoint two commissioners under this act;

who are to give bond in the sum of 5000L.

and take the following

Oath.

XVI. And be it further enacted by the authority aforesaid, That, in all cases wherein the sum or sums charged and imposed by this act, on any writing whatsoever, shall be fully paid or allowed, by one or more stamps of equal value on the said writing, instead of the particular sum directed by this act, shall be deemed valid in law, to all intents and purposes: **Provided always**, That nothing contained in this act shall extend, or be construed to extend, to charge with any of the duties imposed by this act, any bond or other official document relating to the service of his majesty's customs within this island.

XVII. And be it further enacted by the authority aforesaid, That his honour the lieutenant-governor, or the governor, lieutenant-governor, or commander in chief, for the time being, shall be, and he is hereby, authorized and empowered, by any writing or writings under his hand and seal at arms, to appoint two persons to the office of commissioners, for the purpose of carrying on and transacting the business in and by this act mentioned and required to be performed: And, in case of the death, resignation, disability, or removal for misbehaviour, of any one or more of the commissioners so to be appointed, another or others in his or their place or places to appoint, and so as often as there shall be occasion; provided, that the number of commissioners, so to be appointed, shall not exceed two: **Provided always**, That no person so to be appointed a commissioner shall, under a penalty of five hundred pounds, presume to act in such capacity, without becoming bound, in the secretary's office of this island, with two good and sufficient sureties, such as a board of the commissioners of public accounts shall approve, to our sovereign lord the king, his heirs and successors, in the penal sum of five thousand pounds; conditioned, that he will well, truly, and faithfully, execute and perform the duties of a commissioner, for the carrying into effect the purport, true intent, and meaning of this act; and also, that he will render and give to the receiver-general, and to a board of the commissioners appointed for stating and settling the public accounts, respectively, once in every three months, or oftener if required by a board of the said commissioners of public accounts, a just and true account, on oath, of the number of sheets or pieces of paper, vellum, or parchment, and of printed forms and writings, stamped and impressed by him, or under his direction, on each particular day during the time for which such account shall be so rendered and given, distinguishing the denomination and value of the respective stamps so marked or impressed; and without taking the following oath, in writing, before the chief justice of this island, or any assistant judge of the supreme court; that is to say,

I, A. B. do swear, well, truly, and faithfully, to execute and perform the duties of a commissioner for the carrying into effect the purport, true intent, and meaning of an act of this island, entitled, "An act to repeal an act entitled, 'An act for raising a tax by a duty on vellum, parchment, and paper, ascertained by stamps;

stamps; and applying the same to the public service; and for [regulating the manner of] raising a tax by a duty on vellum, parchment, and paper, ascertained by stamps; and applying the same to the public service; [and for appointing commissioners for that purpose;]" and also that I will render and give to the receiver-general, and to a board of the commissioners appointed for stating and settling the public accounts, respectively, once in three months, or oftener, if required so to do by a board of the said commissioners of public accounts, a just and true account, on oath, of the number of sheets or pieces of paper, vellum, or parchment, and of printed forms and writings, stamped and impressed by me, or under my direction, on each particular day during the time for which such account shall be so rendered and given, distinguishing the denomination and value of the respective stamps, so marked or impressed;"

which said oath, and also the appointment so to be made by his honour the lieutenant-governor, or the governor, lieutenant-governor, or commander in chief for the time being, the person so appointed a commissioner shall, under the penalty of five hundred pounds, cause to be recorded in the secretary's office of this island, at the time of entering into bond as aforesaid.

Bond and oath to be recorded.

XVIII. And be it enacted by the authority aforesaid, That the commissioners of public accounts shall, and they are hereby empowered and required to, hire or provide some certain apartment, in the town of Kingston, as an office wherein to transact the business of the commissioners to be appointed under the authorities of this act; and at which office, and at no other place, the said commissioners, or one of them, shall attend, at the least three days in each week, from the hour of nine in the morning, to the hour of two o'clock in the afternoon, for the transacting such business; of which days the said commissioners are hereby required and directed to give public notice, in the several news-papers of this island, previous to their entering into the duties of their said appointment; and in which office shall be deposited and kept a chest, to contain the marks or stamps by this act required to be provided and used for the stamping, marking, and impressing, paper, vellum, parchment, printed forms, and writings; and affixed to which chest there shall be as many locks as there are commissioners; and that each commissioner shall have and keep in his possession a master-key; and in which chest the marks or stamps shall be locked up and secured by the said commissioners, at the end or conclusion of each day's attendance, and shall never be taken out or used but in their presence, or in the presence of one of them.

Commissioners of accounts to provide an apartment for a stamp-office;

where the commissioners are to attend three days in the week, &c.

XIX. And be it enacted, That the receiver-general shall, on or before the thirty-first day of December, one thousand seven hundred and ninety-six, provide sufficient marks or stamps, different from each other, for ascertaining the several and respective duties hereby imposed and made chargeable; and which marks or stamps he is hereby required to deliver to the commissioners to be appointed in virtue of this act, on their having complied with

Receiver-general to provide stamps;

the requisitions herein made of them; and with which marks or stamps, the several and respective things herein before made chargeable, shall be stamped and impressed.

and purchase
paper and
printed forms.

XX. *And be it further enacted,* That the receiver-general shall, immediately after the passing of this act, purchase such quantities of paper, and of such different sorts and fizes, as he shall judge necessary, and to cause to be printed such quantities of forms as he shall judge proper; which paper and forms, the said commissioners shall stamp and impress, without delay, for each and every different purpose and thing that is charged by this act with the aforesaid duties, and deliver the same again to the receiver-general; who is hereby required, under the penalty of five hundred pounds, to give a receipt for the same.

Commission-
ers to fix the
prices of
stamped pa-
per, printed
forms, &c.

In certain
cases the pa-
per to be given
 gratis.

Prices to be
published in
the news-pa-
pers.

Any person
may send pa-
per, printed
forms, &c. to
be stamped.

XXI. *And, for the better distribution of the paper so stamped as aforesaid, and that every person may the more easily procure the same, be it enacted,* That the commissioners to be appointed by virtue of this act shall, on or before the thirty-first day of December, one thousand seven hundred and ninety-six, set and fix the prices and rates at which all sorts of stamped paper, parchment, vellum, and printed forms, shall be respectively sold: And the persons who shall be, as is herein after directed, appointed for the sale and distribution of the same, are hereby empowered and required to demand, receive, and take, for such stamped paper, parchment, vellum, and printed forms, as they shall respectively sell and dispose of, at and after such rates and prices, so set and fixed by the said commissioners, over and above the stamp-duties thereon charged, and made chargeable by this act, and no more, under the penalty of fifty pounds for each offence: *Provided always,* That it shall not be lawful for the said commissioners to set and fix any price or prices, over and above the stamp-duties by this act imposed, on any piece or part of a sheet of post, foolscap, king's arms, crown, or pot paper, whereon shall be stamped, marked, or impressed, any stamp or mark of a value not exceeding one shilling and eight pence; printed forms of every kind excepted: And any person making a demand contrary to the true intent and meaning hereof, shall, for each offence, forfeit the sum of ten pounds: And, in order that all and every person and persons whatsoever, may know the rates and prices of paper, parchment, vellum, and printed forms, to be so set and fixed as aforesaid, the said commissioners are hereby directed to publish the same, in the several news-papers of this island, for the space of one month.

XXII. *And be it further enacted,* That the receiver-general for the time being, or his lawful deputy, is hereby obliged to receive any quantity of paper, parchment, vellum, or printed forms, that shall be brought to him by any person or persons whatsoever, for the purpose of being stamped; for which he shall give a receipt, expressing the amount thereof; and which paper,

paper, parchment, vellum, or printed forms, the said receiver-general for the time being, or his lawful deputy, is hereby required, without delay, to send to the office of the commissioners to be appointed by virtue of this act, to be stamped by them, agreeably to the desire or directions of the person or persons bringing the same: And the said commissioners are hereby required, under a penalty of fifty pounds, to stamp the said paper, parchment, vellum, or printed forms, accordingly, and forthwith to return the same to the said receiver-general, or his lawful deputy, who is required to deliver the same back to the owner or owners thereof, first receiving the duties thereon appearing to be payable under this act, under the penalty of fifty pounds.

XXIII. And be it enacted by the authority aforesaid, That, if the secretary of this island, or any officer or clerk in any office of record in this island, shall enter or record, or cause, permit, or suffer to be entered or recorded, any deed, paper, or writing, charged or chargeable by this act with any of the duties therein mentioned, unless the same shall be first stamped, the person so offending, shall be subject and liable to a penalty of five hundred pounds for each offence; and that if any officer, clerk, or other person, who, in respect of any public office or employment, is entitled to make, engrave, or write, any records, deeds, instruments, or writings, by this act charged to pay a duty, shall issue any such otherwise than by this act prescribed and required, or commit any fraud or practice, whereby the duties to arise, or intended to arise, by this act, shall be lessened, impaired, or lost, every officer, clerk, or other person, so offending, and thereof legally convicted, shall, over and above the penalties aforesaid, forfeit his office, place, or employment respectively: And, if any attorney, solicitor, or proctor, belonging to any court in this island, shall be guilty of any fraud or practice as aforesaid, and be convicted thereof, he shall be disabled, for the future, from practising as an attorney, solicitor, or proctor, in any court in this island.

No deed, &c.
to be record-
ed, unless duly
stamped.

Penalties on
infringement
of provisions
of this act by
persons in
office.

XXIV. And be it further enacted by the authority aforesaid, That no deed, conveyance, or other instrument in writing whatsoever, had, made, executed, taken, or acknowledged, in Great-Britain or Ireland, or any of his majesty's plantations, colonies, or dominions, out of this island, or in any foreign territory or colony, shall, after the commencement of this act, be received or admitted in any court, or be entered of record in any office, within this island, unless the same shall have been first duly stamped, agreeable to the directions of this act, with the several stamps herein before directed.

Foreign deeds,
&c. used in
this island,
must be stamp-
ed.

XXV. And be it enacted, That if any person or persons whatsoever shall, at any time or times hereafter, counterfeit or forge any stamp or mark, to resemble any stamp or mark which shall be provided or made in pursuance of this act, or shall counterfeit or resemble the impression of the same, upon

Forgery of
stamps deemed
felony.

any

any paper, parchment, or vellum, with such counterfeit mark or impression thereupon, knowing such mark or impression to be counterfeited, every such person or persons so offending, being thereof convicted in due form of law, shall be adjudged a felon, and shall suffer death as in cases of felony, without the benefit of clergy.

Paupers exempted from duties.

Proviso.

Each article to be charged with the duty, where more than one on the same paper.

Public officers, attorneys, &c. to be allowed the stamp-duties, besides the usual charges.

Ten per cent. discount to be allowed on stamps to the value of 20s.

XXVI. And be it enacted, That none of the rates, impositions, or sums of money in this act expressed, shall be raised, levied, collected, or paid, or be payable, by any person or persons that shall sue or be sued *in forma pauperis*: **Provided always,** That no officer shall be subject to any of the penalties, disabilities, or forfeitures, in this act mentioned, for writing or causing to be written any of the matters or things aforesaid, in any book of record, without any stamp or mark thereon.

XXVII. And be it enacted, That where any more than one of the matters or things, hereby charged with a stamp-duty, shall be engrossed, written, registered, recorded, entered, or printed, upon one piece of paper, vellum, or parchment, the said respective duties hereby granted, shall be, and they are hereby declared to be, charged upon every one of such matters and things respectively therein contained.

XXVIII. And be it enacted, That, during the continuance of this act, it shall and may be lawful for all officers of the several and respective courts, officers of public records, and of all other public offices of this island, and they are hereby empowered, to ask, demand, receive, and take, over and above all other fees, dues, and allowances, of every person to whom they shall deliver out of, or for whom they shall sign or record in, their offices, any deeds, instruments, writings, printed forms, or copies thereof, by this act charged with the duties therein mentioned and expressed, all such sum and sums of money, as the deeds, instruments, writings, or printed forms, or copies thereof, or records of the same, relative to their respective offices, by this act stand charged with: And all attorneys, solicitors, and proctors, of any of the courts of this island shall, over and above all other fees and allowances, be allowed, and the officers of the said courts, whose business it is to tax their bills, are hereby empowered and required to allow, in their taxed costs, for all such sum and sums of money, as they the said attorneys, solicitors, and proctors, shall necessarily expend for and in behalf of their respective clients, in paying for or upon account of deeds, instruments, writings, and printed forms, the duties charged by this act.

XXIX. And be it enacted, That if any person or persons shall, at any one time, deliver, or cause to be delivered, to the receiver-general for the time being, or his lawful deputy, any quantity of paper, vellum, parchment, or printed forms, for the purpose of being stamped, according to the directions

tions of this act, or shall purchase from the receiver-general any such stamped vellum, parchment, paper, or printed forms, the duties on which shall, in the whole, amount to a sum exceeding twenty pounds, he or they shall be allowed a discount of ten pounds *per centum* on the amount of such duties, and which said discount shall be allowed accordingly; provided the money, on which such discount is to be allowed, is paid down at the time of the delivery of the said stamps, and not otherwise; and it is hereby required, that the receiver-general, or his lawful deputy, do keep an account of the discounts so allowed, with the name or names of the person or persons to whom the same is or are granted.

XXX. *And be it enacted by the authority aforesaid,* That it shall not be lawful for the receiver-general for the time being, or his lawful deputy, or any person acting under him, other than the distributors to be appointed as aforesaid, to sell and dispose of any paper, parchment, vellum, or printed forms, the duties whereon, in the whole, shall not amount to the sum of twenty pounds.

Receiver-general not to sell less than 20*l.* worth of stamps.

XXXI. *And be it enacted by the authority aforesaid,* That the commissioners to be appointed under the authority of this act, shall, and they are hereby required, under a penalty of fifty pounds on each commissioner refusing, to receive all such stamped paper, parchment, vellum, or printed forms, as were or may be stamped in pursuance of the said herein before mentioned act, and whereon the duties shall have been paid; and which, in consequence of the passing of this act, will become useless, as shall be brought to them, and to return a quantity of stamped paper, parchment, vellum, or printed forms, stamped as by this act is directed; the duties whereon shall, in the whole, be equal to the duties on those so rendered useless; and of which stamps so exchanged, the said commissioners are hereby required and directed to keep a separate and distinct account; and that if any person or persons shall have in his or their possession, any stamped vellum, parchment, or paper, issued under the directions of the before mentioned act, or that shall be issued under the directions of this act, written or engrossed upon, inadvertently or undesignedly spoiled, obliterated, or otherwise rendered unfit for the purpose intended, and the writings contained in which shall not have been executed, and which shall not have been used for any other purpose, or in any other manner, nor any money or other consideration paid to the attorney or solicitor, or other person employed to transact the business; or to the writer thereof, for the duty, it shall and may be lawful, for such person or persons, to bring or send such stamped vellum, parchment, or paper, to the office of the receiver-general, or the distributors to be appointed by him; and, upon oath, that the writings contained on such stamped vellum, parchment, or paper, have not been executed by any party, or used for any other purpose, or in any other manner, and that no money or other consideration, hath been paid or given for the duty (except the mo-

Commissioners to give paper, &c. stamped under the present act, in exchange for articles rendered useless, of those issued under the former act...

ney first paid for such duty), the said receiver-general, or distributors to be appointed as aforesaid, are hereby empowered and required, under a like penalty of fifty pounds, on him or them respectively refusing to return the like quantity of vellum, parchment, or paper, with the respective duties stamped on the vellum, parchment, or paper, so written upon, spoiled, obliterated, or rendered unfit for use, without taking or receiving any duty for the same, or any more money for the paper, than is herein before directed to be received.

Receiver-general to furnish the different parishes with stamps, and appoint distributors;

who are to give security;

and to have 2½ per cent. commission on sales.

Receiver-general to have 2½ per cent. commission;

XXXII. And be it further enacted by the authority aforesaid, That, the receiver-general shall take care that the several towns and parishes of this island shall, from time to time, be sufficiently furnished with vellum, parchment, paper, and printed forms, stamped and marked as by this act is directed; and that he do, for that purpose, cause to be transmitted, from time to time, such vellum, parchment, paper, and printed forms, stamped as aforesaid, to such person or persons as he shall appoint for the sale and distribution of the same; and that he do, from time to time, as often as he shall be required by the commissioners of public accounts, give in to the said commissioners, at their office, an account of the produce of such vellum, parchment, paper, and printed forms, so transmitted, and also an account of all sum and sums of money by him received, under the authority of this act: **Provided always,** That no person or persons shall be appointed, by the said receiver-general, a distributor or distributors for the purposes aforesaid, and shall act in such appointment, unless such person or persons shall first have entered into good and sufficient security, to be approved of by a board of the commissioners of public accounts, in the sum of one thousand pounds, that they shall respectively well and truly account to the said receiver-general, once in every three months, for all sum and sums of money as they shall, from time to time, respectively receive in the sale and distribution of all such stamped paper, parchment, vellum, or printed forms; and also for all such sum and sums of money as they shall respectively receive for the prices of paper, disposed of by them, agreeably to the rates to be established as aforesaid, without any deduction or abatement whatsoever to be made thereout, for any discount, or for any other matter or thing whatsoever, other than as herein after is next mentioned; and that every person so to be appointed, for the sale and distribution of the paper, vellum, parchment, or printed forms, as aforesaid, shall be allowed to retain, out of the sales thereof, a commission at and after the rate of two pounds ten shillings *per centum*, and no more.

XXXIII. And be it further enacted, That the receiver-general for the time being shall have and receive, for receiving and paying the monies to arise by virtue of this act, the sum of two pounds ten shillings *per centum* and no more; any law, custom, or usage, to the contrary in anywise notwithstanding.

XXXIV. And

XXXIV. And be it further enacted, That the receiver-general for the time being shall, before he receives or pays any of the monies to arise by virtue of this act, enter into bond, with good and sufficient security, such as a board of the commissioners of public accounts shall approve, in the secretary's office of this island, to our sovereign lord the king, his heirs and successors, in the sum of twenty thousand pounds, current money of Jamaica; conditioned, that he, his heirs, executors, or administrators, shall render and give to any assembly when sitting, or to the commissioners appointed for stating and settling the public accounts, a just and true account of all monies by him received and paid in pursuance of this act, when required: And in case the said receiver-general shall act under this act longer than the first day of February, one thousand seven hundred and ninety-seven, before he enters into the bond hereby required, he shall, for every such neglect, forfeit the sum of five hundred pounds to our sovereign lord the king, his heirs and successors, for and towards the support of the government of this island, and the contingent charges thereof.

and to enter
into bond,
with security.

XXXV. And be it further enacted by the authority aforesaid, That all penalties in this act mentioned, and not declared where they shall be recovered or how disposed of, shall be recovered in the supreme court of judicature of this island, by action of debt, bill, plaint, or information, wherein *no esca*in, *wager of law*, or *injunction*, shall be granted, or *non iust ulterius prosequi* be entered; and one moiety thereof shall be to the use of his majesty, his heirs and successors, for and towards the support of the government of this island, and the contingent charges thereof, and the other moiety to him or them who shall sue for the same.

How penalties
are to be re-
covered and
applied.

XXXVI. And be it further enacted by the authority aforesaid, That the receiver-general for the time being do, out of the monies to arise by virtue of this act, pay to the commissioners to be appointed under the authority of this act, a salary to each, at and after the rate of four hundred pounds *per annum*; such salary to commence from the day on which any such commissioner shall enter on the execution of his duty in that capacity, agreeable to the directions and provisions in this act contained.

Salary to
commission-
ers,

XXXVII. And be it further enacted by the authority aforesaid, That the said commissioners, so to be appointed as aforesaid, are hereby authorized and empowered to employ and appoint, one or more inferior officer or officers under them, for the keeping the accounts of the said stamp-duties; and also to hire and employ such and so many free persons or slaves, for the stamping all such paper, parchment, vellum, or printed forms, as shall be necessary for those purposes, to be approved by a board of the commissioners of public accounts; and the receiver-general is hereby directed to cause such sum and sums of money to be expended and paid, from time to time, out

who may em-
ploy persons
under them;

whose salaries,
hire, &c. are
not in the
whole to ex-
ceed 600L

of the duties to arise by this act, for salaries, hire, and other incidental charges, as shall be deemed proper, and approved of by a board of the said commissioners, as aforesaid, not exceeding six hundred pounds.

Stamp-duties
to be applied
in discharge of
the interest on
certificates
granted under

36 Geo. III.
caph. 8.

and 36 Geo.
III. caph. 22.

This act to be
in force until
31st Decem-
ber 1799;
when persons
having stamp-
ed paper, &c.
may return
the same, and
receive back
the duties.

XXXVIII. And be it enacted by the authority aforesaid, That the receiver-general for the time being shall, and he is hereby authorized and directed, out of the monies to arise by virtue of this act, in the first place to pay off and discharge all sum and sums of money that shall, from time to time, become due and payable for the interest on certain certificates, granted and issued by the commissioners, named and appointed in and by an act, passed on the eleventh day of December, one thousand seven hundred and ninety-five, entitled, *An act to enable certain commissioners therein named, to raise several sums of money, for the public service;* and on such other certificates as have been granted and issued by the commissioners, named and appointed in and by an act, passed on the twenty-fifth day of March last past, entitled, *An act to enable certain commissioners therein named, to raise several sums of money for the public service; and for other purposes;* and then to apply the remainder of such monies, to such uses and purposes as shall be, at any time hereafter, enacted and declared.

XXXIX. And be it enacted by the authority aforesaid, That this act shall continue and be in force, from and after the thirty-first day of December next, until the thirty-first day of December, one thousand seven hundred and ninety-nine, and no longer: **Provided always,** That, from and after the said thirty-first day of December, one thousand seven hundred and ninety-nine, it shall and may be lawful, for any person or persons having in his, her, or their possession any quantity of vellum, parchment, paper, or printed forms, stamped as herein directed, and for which it shall appear that he, she, or they, had paid the respective duties imposed thereon by this act, to bring such stamped vellum, parchment, paper, or printed forms, into the office of the receiver-general; who is hereby authorized and required, to re-pay to such person or persons, so holding such stamped vellum, parchment, paper, or printed forms, all such duties as shall have been paid for the same, under the authority of this act, first deducting such discount as may have been allowed thereon.

ANNUAL.

C A P. XIV. *An act for raising a tax on land within this island, and applying the same to the public service.—In force until 31st December, 1797.—[21st December, 1796.]*

C A P.

C A P. XV.

An act for appointing commissioners to contract, in Great-Britain, for a loan or loans, on behalf and on account of the credit of this island.—[21st December, 1796.]

WHENCEAS it is necessary that a further supply should be granted to your majesty, towards defraying the expences occasioned by the late rebellion of the Trelawny maroons: Be it therefore enacted

by the lieutenant-governor, council, and assembly of this your majesty's island of Jamaica; and it is hereby enacted and ordained by the authority of the same, That Robert Sewell, esquire, agent for this island, or the agent for the time being, the right honourable Richard lord Penrhyn, William Mitchell, Robert Hibbert, John Tharpe, William Chisholm, John Ellis, Edward Long, Bryan Edwards, Edward Hyde East, Neil Malcolm, Beeston Long, George Hibbert, John Wedderburn, and Robert Milligan, esquires, or any five of them, be, and are hereby, authorized and empowered to contract, for a loan or loans, on behalf and on the account and credit of this island, of a sum or sums of money amounting to, and not exceeding in the whole, the sum of three hundred thousand pounds sterling, equal to four hundred and twenty thousand pounds current money of this island; the monies so to be borrowed, after deducting the necessary expences, if any, of effecting the loan or loans, to be deposited in the Bank of England, and to be payable thereout to the orders of the receiver-general for the time being, and the commissioners herein after named, or any five of them; such loan or loans to be at a rate of interest not exceeding six pounds per centum at 6 per cent.

Commissioners appointed for negotiating a loan in Great-Britain,

not exceeding 300,000*l.* ster-ling;

II. And be it further enacted by the authority aforesaid, That the receiver-general, or the receiver-general for the time being, shall, out of the first and readiest monies to be raised and collected, in each and every year, by virtue of such acts as shall be annually passed in this island, for granting supplies to his majesty, his heirs and successors, and he is hereby directed accordingly, to remit to the governor and company of the Bank of England, free of all deductions, the sum of eighteen thousand pounds sterling, to be applied by them in payment of the interest to grow due, yearly and each year, of the said sum of three hundred thousand pounds sterling, to be borrowed in manner aforesaid; which interest shall be paid in half-yearly payments.

Receiver-general to remit the interest annually.

Principal to be discharged by four annual instalments; the first at the end of eight years.

Members of the assembly appointed commissioners,

to draw bills on the Bank of England, jointly with the receiver-general, who is to receive the monies thereon arising, for the public service.

Proviso.

No commission to the commissioners.
Receiver-general to have $\frac{1}{4}$ per cent.

III. And be it further enacted by the authority aforesaid, That the public faith of this island be and stand pledged, to raise taxes for the due and punctual discharge of the respective instalments of the principal, of the said sum of three hundred thousand pounds sterling, by four equal annual instalments, of seventy-five thousand pounds sterling each, at such periods as the said commissioners shall agree and contract for, with the person or persons who shall lend the said principal sum of three hundred thousand pounds sterling as aforesaid, the first payment to commence, at the soonest, at the end of eight years after such loan shall be effected.

IV. And be it further enacted by the authority aforesaid, That the honourable William Blake, speaker of the assembly, or the speaker of the assembly for the time being, Henry Shirley, Philip Redwood, Samuel Whitehorne, Andrew Johnstone, Matthew Wallen, Fairlie Christie, Oliver Herring, Eliphalet Fitch, John Jaques, Alexander Shaw, Thomas Cockburn, John Dawson, Lewis Cuthbert, Robert Ross, Peeke Fuller, William Thompson, William Jackson, John Henckell, Theodore Foulks, Thomas Anderson, Dutton Smith Turner, George Murray, Joseph James Swaby, James Wedderburn, Richard Haughton Reid, John Mowat, John Perry, James Stewart, James Irving, Alexander Fullerton, James Henry, Charles Grant, William Ross, Donald Campbell, Charles Bryan, George Fuller, Simon Taylor, Kean Osborn, Andrew Deans, and Robert Telfer, esquires, members of the assembly, or the members of the assembly for the time being, or any five of them, be, and they are hereby, appointed commissioners for the purposes following; *to wit*, To draw bills of exchange, jointly with the receiver-general for the time being, upon the governor and company of the Bank of England, payable out of the monies to be raised upon the loan or loans as aforesaid, and deposited in the said Bank of England, in such manner as they shall find to be most advantageous to the public, and to pay over the monies that shall arise by the sale of such bills, into the hands of the receiver-general for the time being, to be by him disposed of in the most advantageous manner for the public, in discharging the demands against the public now existing, or in payment of the public exigencies of this island, as occasion shall require: **Provided always**, That such demands or exigencies shall first be ascertained, by the assembly of this island, in the usual manner.

V. And be it hereby enacted by the authority aforesaid, That the commissioners appointed by this act shall not be entitled to any commission, or other compensation whatsoever, for their trouble in acting under such appointment: And the receiver-general, or the receiver-general for the time being, shall not be entitled to receive or take any commission, on such sum or sums as shall be paid into his hands, to arise from the sale of bills of exchange, to be drawn as is herein before mentioned, and for paying over the same

same to the creditors of the public, in pursuance of this act, more than ten shillings on each one hundred pounds; and that he be also allowed the same commission of ten shillings on each one hundred pounds, and no more, on the amount of all such sums as he shall remit to the governor and company of the Bank of England, for the purpose of paying the annual interest to grow due on the sum or sums of money, so to be borrowed as aforesaid.

VI. And be it hereby enacted by the authority aforesaid, That the receiver-general for the time being shall keep a distinct and separate account, of all the monies which shall come to his hands by virtue of this act, and of the disposal of the same; which account shall be subject to be inspected, from time to time, by the said commissioners, or by the commissioners appointed by law for the stating and settling the public accounts.

Receiver-ge-
neral to keep
a separate ac-
count of this
loan.

VII. And it is hereby further enacted by the authority aforesaid, That the receiver-general for the time being, shall before he receives or pays any of the monies to arise from such loan or loans as aforesaid, enter into bond, with good and sufficient security, in the secretary's office of this island, to our sovereign lord the king, his heirs and successors, in the penalty of twenty thousand pounds current money of Jamaica; conditioned, that he, his heirs, executors, or administrators, shall render and give to any assembly of this island when sitting, or to the commissioners appointed for stating and settling the public accounts for the time being, a just and true account of all monies by him to be received and paid in pursuance of this act, when thereunto required: And in case the said receiver-general shall act under this law, without first giving such security, he shall forfeit the sum of two thousand pounds to our sovereign lord the king, his heirs and successors, for and towards the support of the government of this island, and the contingent charges thereof; to be recovered in the supreme court of judicature of this island, or in either of the courts of assize of this island, by action of debt, bill, plaint, or information, wherein no essoin or wager of law shall be allowed, or *non vult ulterius prosequi* be entered; any thing herein before contained to the contrary notwithstanding.

Receiver-ge-
neral to enter
into bond of
20,000/-

C A P. XVI.

An act to alter and amend an act entitled, "An act to enable certain commissioners therein named, to raise several sums of money for the public service; and for other purposes."—[21st December, 1796.]

36 Geo. III.
cap. 22.

Powers withdrawn from certain members of the late assembly.

The members of the present assembly, and those for the time being, to be commissioners under recited act;

empowered to borrow money for the public service.

WHENCEAS an act, passed on the twenty-fifth day of March last, entitled, *An act to enable certain commissioners therein named, to raise several sums of money for the public service; and for other purposes*, requires to be amended: **W**e, your majesty's dutiful and loyal subjects, the assembly of this your majesty's island of Jamaica, humbly beseech your majesty that it may be enacted; **W**e it therefore enacted by the lieutenant-governor, council, and assembly, and it is hereby enacted and ordained by the authority of the same, That, from and after the passing of this act, the authority granted by the herein before recited act, to William Mitchell, John M'Lean, Archibald Galbraith, John Woolfrys, Matthew Halsted, Henry Rennalls, Samuel Delpratt, John Hodges, William White, George Scott, Samuel Vaughan, and Gilbert Mathison, as commissioners therein named, not being members of the present assembly, shall cease, determine, and become null and void, to all intents and purposes.

II. *And be it further enacted by the authority aforesaid*, That, from and after the passing of this act, the powers and authorities given and granted, by the herein before recited act, to the commissioners appointed to carry the same into effect, shall be granted unto, and be vested in, the honourable William Blake, speaker of the assembly, or the speaker of the assembly for the time being, Philip Redwood, Samuel Whitehorne, Andrew Johnstone, Eliphilet Fitch, John Jaques, Alexander Shaw, Matthew Wallen, Fairlie Christie, Oliver Hering, William Jackson, Alexander Macleod, William Thompson, Peeke Fuller, Lewis Cuthbert, Robert Ross, Theodore Foulks, John Henczell, Andrew Deans, Robert Telfer, Thomas Cockburn, John Dawson, George Murray, Joseph James Swaby, James Stewart, James Irving, Alexander Fullerton, James Henry, William Dawes Quarrell, Richard Haughton Reid, Thomas Anderson, Dutton Smith Turner, Simon Taylor, Kean Osborn, Charles Bryan, George Fuller, Donald Campbell, Henry Shirley, Charles Grant, William Ross, James Wedderburn, John Mowat, and John Perry, esquires, members of the present assembly, and the several and respective members of the assembly of this island for the time being, and to no other persons whatsoever.

III. *And be it further enacted by the authority aforesaid*, That the commissioners named in this act, shall have power and authority to borrow money for the public service, in manner ordained by the act herein before mentioned.

C A P.

C A P. XVII.

An act for the more speedy collection of the public taxes, and the arrears thereof ANNUAL.
now due.—In force until 31st December, 1797.—[21st December, 1796.]

C A P. XVIII.

An act to appoint certain commissioners, for the better carrying into execution the ANNUAL.
several appropriations made, or to be made, for the use of the buildings belonging
to the public, and of the barracks throughout this island.—In force until 31st
December, 1797.—[21st December, 1796.]

C A P. XIX.

An act to repeal an act, passed in the year one thousand seven hundred and forty- ANNUAL.
four, entitled, “An act to regulate the selling of gunpowder, and to prevent the
selling of fire-arms to slaves;” and to prevent the improper use of gunpowder
and fire-arms.”—In force until 31st December, 1797.—[21st December,
1796.]

C A P. XX.

An act for continuing two several acts, the one entitled,
“An act to regulate the militia; to repeal certain acts
and clauses of acts relating to the said militia; to ascer-
tain who shall compose future councils of war; and for
other purposes; the other entitled, “An act for amend-
ing an act entitled, ‘An act to regulate the militia; to
repeal certain acts and clauses of acts relating to the
said militia; to ascertain who shall compose future coun-
cils of war; and for other purposes;” for a certain time
longer.—[21st December, 1796.]

WHEREAS two several acts, the one entitled, *An act to regulate* 32 Geo. III.
the militia; to repeal certain acts and clauses of acts relating to the said cap. 10.
militia; to ascertain who shall compose future councils of war; and for
other purposes, passed the sixteenth day of December, one thousand seven hun-
*dred and ninety-one; and the other entitled, *An act for amending an act en-**

and 35 Geo. III.
cap. 23.

titled, “An act to regulate the militia; to repeal certain acts and clauses of acts re-
lating to the said militia; to ascertain who shall compose future councils of war;
and for other purposes,” passed on the nineteenth day of December, one thou-
sand seven hundred and ninety-four, will expire on the thirty-first day of De-
cember instant: And whereas it is judged necessary and expedient, that
the said two several recited acts should be continued for a certain time longer:

Wherefore,

declared in
force until 31st
Dec. 1797.

Wherefore, We, your majestys dutiful and loyal subjects, the assembly of Jamaica, humbly beseech your majestys that it may be enacted; Be it therefore enacted by the lieutenant-governor, council, and assembly, of this your majestys said island, and it is hereby enacted and ordained by the authority of the same, That the said two several recited acts, and the several matters and things therein contained, shall continue, and be in force, until the thirty-first day of December, which will be in the year of our Lord one thousand seven hundred and ninety-seven; any thing in the said acts, or any law, custom, or usage, to the contrary notwithstanding.

C A P. XXI.

An act to explain and amend an act entitled, "An act to repeal an act, passed in the year one thousand seven hundred and fifty-nine, entitled, 'An act to augment the salary of his excellency George Haldane, esquire, and for providing certain lands and premises to be annexed to the government, for the use of the governor for the time being;' also one other act, passed in the year one thousand seven hundred and ninety-five, entitled, 'An act to explain, amend, and render more effectual, "An act to augment the salary of his excellency George Haldane, esquire; and for providing certain lands and premises to be annexed to the government, for the use of the governor for the time being;" to enable certain commissioners to sell the government pen and mountain, with the buildings, slaves, and cattle, thereunto belonging, and to apply the monies arising from such sale, towards defraying the expences of the government of this island; and for granting a further additional salary to the right honourable Alexander earl of Balcarres, lieutenant-governor and commander in chief, during his administration, in lieu of the said pen and mountain." — [21st December, 1796.]

96 Geo. II.
a. 32.

WHEREAS, in and by an act of the lieutenant-governor, council, and assembly, of this island, made and passed on the first day of May last, entitled, *An act to repeal an act, passed in the year one thousand seven hundred and fifty-nine, entitled, "An act to augment the salary of his excellency George Haldane,*

Haldane, esquire; and for providing certain lands and premises to be annexed to the government, for the use of the governor for the time being;” also one other act, passed in the year one thousand seven hundred and ninety-five, entitled, “An act to explain, amend, and render more effectual, ‘An act to augment the salary of his excellency George Haldane, esquire; and for providing certain lands and premises to be annexed to the government, for the use of the governor for the time being;’ to enable certain commissioners to sell the government pen and mountain, with the buildings, slaves, and cattle, thereunto belonging; and to apply the monies arising from such sale towards defraying the expences of the government of this island; and for granting a further additional salary to the right honourable Alexander earl of Balcarres, lieutenant-governor and commander in chief, during his administration, in lieu of the said pen and mountain,” amongst other things, the commissioners of the board of works, for the time being, are appointed commissioners to sell and dispose of the said pen and pen lands, mountain polinck, and premises, and also the negro and other slaves, cattle, and stock, thereon or thereunto belonging: **And whereas** the slaves mentioned and described in a schedule to the said act, now in recital, annexed, at the passing thereof, were supposed to be the whole of the slaves belonging to the said pen and mountain; since when it hath been discovered, that there are many other slaves thereto respectively belonging; and that the said schedule is also faulty, in assigning to one property, slaves which appertain to, and have been used on, the other; whereby families, if the said slaves were sold conformable to such schedule, would be divided, contrary to the true intent and meaning of the said recited act: For remedy whereof, **We, your majesty's dutiful and loyal subjects, the lieutenant-governor, council, and assembly, of this your majesty's island of Jamaica, humbly beseech your majesty that it may be enacted and declared; Be it therefore enacted and declared by the authority of the same,** That all and every the negro and other slaves, upon, or of right belonging, or usually deemed to belong, to the said pen and mountain respectively, are, and by the said recited act were intended to be, vested in the said commissioners, for the purposes of the said recited act, as amply and effectually, **as if** all and singular the said slaves were therein and herein particularly named; and the said commissioners are hereby required and empowered to collect the said slaves upon, attach them to, and sell them with, the said pen and mountain, as they shall appear to appertain to the said properties respectively, according to their families and connections, as nearly as can be ascertained; any thing in the said recited act to the contrary notwithstanding.

Defect in
powers under
recited act
remedied.

II. And whereas, by the said recited act, seven of the commissioners are declared to be a quorum, for carrying the purposes of the said act into execution; but experience having shewn, that the purposes of the said act have been retarded, from the difficulty of collecting together such a number of commissioners: **Be it therefore enacted by the authority aforesaid,** That, instead of seven, any three of the said commissioners, shall, hereafter, be a quorum; and they are hereby authorized and empowered to carry the said

VOL. III.

U u

recited

Three to form
a quorum, in-
stead of seven,
to carry such
powers into
effect.

recited act into execution; any thing therein contained to the contrary notwithstanding.

C A P. XXII.

An act for amending an act entitled, "An act for amending and keeping in repair the road leading from Pepper Pen, over Mayday-hill, in the parish of St. Elizabeth, to Dry-River, in the parish of Clarendon; and for vesting in trustees the toll raised by a turnpike on the said road, for the purposes aforesaid; and for repealing an act entitled, 'An act for amending and keeping in repair the road leading from St. Jago de la Vega, in the parish of St. Catherine, to the junction of the Mayday-hill road, at the fig-tree in Olyphant's lane, in the parish of Clarendon; and for vesting in trustees the toll raised by a turnpike on the said road, for the purposes aforesaid,' passed in the year of our Lord one thousand seven hundred and eighty-eight."—[21st December, 1796.]

Preamble.

33 Geo. III.
c. 12.

WHENCEAS, by an act of the lieutenant-governor, council, and assembly, of this island, passed the nineteenth day of December, in the year of our Lord one thousand seven hundred and ninety-two, entitled, *An act for amending and keeping in repair the road leading from Pepper Pen, [over Mayday-hill,] in the parish of St. Elizabeth, to Dry-River, in the parish of Clarendon; and for vesting in trustees the toll raised by a turnpike on the said road, for the purposes aforesaid; and for repealing an act entitled, "An act for amending and keeping in repair the road leading from St. Jago de la Vega, in the parish of St. Catherine, to the junction of the Mayday-hill road, at the fig-tree in Olyphant's lane, in the parish of Clarendon; and for vesting in trustees the toll raised by a turnpike on the said road, for the purposes aforesaid," passed in the year of our Lord one thousand seven hundred and eighty-eight, which will expire in December, one thousand seven hundred and ninety-nine, certain trustees were appointed, for the surveying, ordering, and amending and keeping in repair, the said road, many of whom have since departed this life, or are absentees from this island, and the remaining trustees, from the remoteness of their residence, cannot be easily convened, on any emergency, to fulfil the purposes of the said recited act: And whereas the settlers in the district of that part of Clarendon and St. Elizabeth, called Mile-Gully, are much aggrieved, by the erection of a gate or turnpike, at the point of interfection*

tersection of their barquadier-road to Milk-River with the turnpike-road aforesaid: May it please your most excellent majesty that it may be enacted; Be it therefore enacted by the li utenant-governor, council, and assembly, of this your majesty's island of Jamaica, and it is hereby enacted and ordained by the authority of the same, That the honourable John Rodon, a member of his majesty's council, and Philip Redwood, Andrew Johnstone, and Samuel Whitehorne, esquires, members in assembly for the parish of St. Catherine, or the members for the said parish for the time being; the honourable William Jackson and Alexander Macleod, esquires, members in assembly for the parish of St. Dorothy, or the members for the said parish for the time being; John Henckell, esquire, and the members in assembly for the parish of Clarendon for the time being; Dutton Smith Turner, esquire, and the members in assembly for the parish of Vere for the time being; James Wedderburn, esquire, and the members in assembly for the parishes of St. Elizabeth and Westmorland for the time being; together with William Thompson, Thomas Howell, Rowland William Fearon, Adam Smith, and Alexander Mackeand, esquires, shall be, and they are hereby, added and appointed trustees, for carrying into execution the said herein-before recited act.

Newcomis-
sioners ap-
pointed for
the Mile-
Gully road.

II. And be it further enacted by the authority aforesaid, That, from and after the passing of this act, one moiety or equal half part of all monies to be collected under the authority of the herein-before mentioned act, shall be appropriated to the completing and keeping in repair the road through Mile-Gully, under the directions of the said commissioners.

Half the toll
raised under
recited act ap-
propriated to
keep said road
in repair.

III. And be it enacted, That no meeting of the trustees, appointed for the purpose of carrying into execution the directions of the herein before mentioned act, and also of this act, shall be deemed legal, unless two weeks previous notice of such intended meeting shall have been given, in the Royal Gazette.

Two weeks
notice of
meeting of
commissioners
to be given.

IV. And be it further enacted by the authority aforesaid, That this, and the herein before recited act, shall be and remain in full force, for the term of fourteen years, from the passing hereof, and no longer; any thing therein contained to the contrary notwithstanding.

This and re-
cited act to
remain in
force until
21st Decem-
ber, 1810.

C A P. XXIII.

An act for further continuing an act, passed in the year one thousand seven hundred and ninety-two, entitled, "An act for the ease and relief of jurors and suitors of the supreme and certain other courts within this island."

[21st December, 1796.]

Preamble.
33 Geo. III.
cap. 16.

declared in
force until
21st April,
1798.

WHENCEAS, in and by an act, passed on the first day of May last, an act entitled, *An act for the ease and relief of jurors and suitors of the supreme and certain other courts within this island*, was thereby continued and revived until the thirty-first day of December, which will be in the year of our Lord one thousand seven hundred and ninety-seven: And whereas, to prevent a failure in justice, it is absolutely necessary and expedient that the said last mentioned act should continue and be in force for a further time: Wherefore, We, your majesty's dutiful and loyal subjects, the assembly of Jamaica, humbly beseech your majesty that it may be enacted; Be it therefore enacted by the lieutenant-governor, council, and assembly, of this your majesty's said island, and it is hereby enacted and ordained by the authority of the same, That the said last mentioned act shall be further continued, and be in force, from the said thirty-first day of December, until the twenty-first day of April, which will be in the year of our Lord one thousand seven hundred and ninety-eight, and no longer; any law, custom, or usage, to the contrary notwithstanding.

C A P. XXIV.

An act for making free and rewarding a negro man slave, named Garrick, belonging to Iron-Shore estate, in the parish of St. James.—[21st December, 1796.]

Preamble.

WHENCEAS a negro man slave, named Garrick, belonging to, and heretofore employed as head carpenter on, Iron-Shore estate, in the parish of St. James, was, during the late rebellion of the Trelawny-Town maroons, enlisted and received into a company of black shot, raised and employed for the purpose of contributing to the suppression of the said rebellion: And whereas the said negro man slave, named Garrick, did, in such capacity, conduct and behave himself in a very faithful and meritorious manner, whereby the public service, on the occasion aforesaid, was greatly benefited: And whereas the said negro man slave, named Garrick, was, in an engagement between the company of black shot, into which he

he had been so enlisted and received, and a party of the said rebellious maroons, severely wounded: As a recompence and reward, therefore, for the services for [of] the said negro man slave, and as an encouragement for slaves to conduct themselves faithfully, on such occasions as the public may require an exertion of their services, **We, your majestys dutiful and loyal subjects, the assembly of this your majestys island of Jamaica, humbly beseech your majesty that it may be enacted;** **Be it therefore enacted by the lieutenant-governor, council, and assembly, of this your majestys said island;** **and it is hereby enacted and ordained by the authority of the same,** That the said negro man slave, named Garrick, shall be, and he is hereby declared to be, from and immediately after the passing of this act, manumized and set free, from all and all manner of servitude and slavery whatever: And that James Mitchell, esquire, the receiver-general, or the receiver-general for the time being, do, on the first day of March next, pay to the said negro man, named Garrick, the sum of ten pounds current money of Jamaica; and also do, on the first day of March in each and every year, during his natural life, pay unto the said negro man, named Garrick, the said sum of ten pounds current money of Jamaica.

Garrick
manumitted,

10L to be paid
him on 1st
March next,

and the like
sum annually.

C A P. XXV.

An act for making free and rewarding a negro man slave, named Cornwall, belonging to the estate of Nicholas Trought, late of the parish of St. James, planter, deceased.—[21st December, 1796.]

WHEREAS a negro man slave, named Cornwall, belonging to the estate of Nicholas Trought, late of the parish of St James, planter, deceased, was, during the late rebellion of the Trelawny-Town maroons, employed as a guide to detached parties of the militia, sent in pursuit of the rebels: **And whereas** the said negro man slave, named Cornwall, did, in such capacity, conduct and behave himself in a very faithful and meritorious manner; and, by his knowledge of the woods, rescued one of the said detached parties of militia, from a very perilous situation; and, by pointing out to them an advantageous ground, was thereby instrumental to the success of the said party, in an engagement which they shortly after commenced with a rebel party: As a recompence and reward, therefore, for the services of the said negro man slave, and as an encouragement for slaves to conduct themselves faithfully on those occasions, wherein the public may require the exertion of their services, **We, your majestys dutiful and loyal subjects, the assembly of this your majestys island of Jamaica, humbly beseech your majesty that it may be enacted;** **Be it therefore enacted by the**

Cornwall
manumitted;

10/- to be paid
him on 1st
March next,

and the like
sum annually.

the lieutenant-governor, council, and assembly, of this your majesty's said island, and it is hereby enacted and ordained by the authority of the same; That the said negro man slave, named Cornwall, shall be, and he is hereby declared to be, from and immediately after the passing of this act, manumized and set free, from all and all manner of slavery and compulsive servitude whatever: And that James Mitchell, esquire, the receiver-general, or the receiver-general for the time being, do, on the first day of March next, pay to the said negro man, named Cornwall, the sum of ten pounds, current money of Jamaica; and also do, on the first day of March, in each and every year, during his natural life, pay unto the said negro man named Cornwall, the sum of ten pounds current money aforesaid.

[See Decree first]